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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Eighteenth session

SUMMARY RECORD OF THE 375th MEETING

Held at Headquarters, New York,
on Friday, 30 January 1998, at 10 a.m.

Chairperson: Ms. KHAN

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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Third and fourth periodic reports of Mexico

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Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

98-80148 (E)

The meeting was called to order at 10.20 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Third and fourth periodic reports of Mexico (CEDAW/C/MEX/3-4 and Add.1; CEDAW/C/1998/I/CRP.1/Add.4)

1. At the invitation of the Chairperson, Ms. Sauri (Mexico) took a place at the Committee table.

2. Ms. SAURI (Mexico) said that, while 60 per cent of Mexico's population lived in urban centres, in certain states, such as Oaxaca and Chiapas, where there was a high percentage of indigenous people, the population was predominantly rural.

3. Mexico's Constitution guaranteed equality of men and women before the law and contained specific provisions for the promotion of gender equality in education, family planning, rural landownership, citizenship, political participation, employment and wages. It also provided for the social protection of mothers. In June 1990, a National Human Rights Commission had been established to supplement the system for the protection of human rights, in June 1993, the Commission had created the Programme on Matters relating to Women, Children and the Family. The Commission had also carried out a detailed analysis of federal norms with a view to ascertaining whether they were in line with the Regional Programme of Action for the Women of Latin America and the Caribbean 1995-2001 and the Beijing Platform for Action.

4. The New Agrarian Act of 1992, the Federal Code of Electoral Institutions and Procedures of 1996, the Federal Safety, Hygiene and Working Environment Regulations of 1997, the Domestic Violence Prevention and Assistance Act of 1996 and a decree amending the Federal District Civil Code had all contributed to improving the situation of women. Lastly, women deputies of all parties had agreed in December 1997 to promote the adoption of legislation against sexual and domestic violence in states where no such legislation existed, as well as the protection of women's rights and the elimination of discriminatory local laws.

5. As a result of the participation of the Mexican Government and Mexican non-governmental organizations in the Fourth World Conference on Women, the National Programme for Women: Alliance for Equality (PRONAM) had been launched in 1995 as part of the National Development Plan 1995-2000. PRONAM established a set of strategies for promoting the advancement of women, and an Executive Coordinating Office of the National Programme for Women had been created through the Ministry of the Interior to implement those strategies and to coordinate all inter-agency activities and governmental programmes aimed at improving the situation of women in Mexico. Agencies of the federal public administration were required to comply with the Programme within their respective areas of competence, as were public entities, in accordance with the applicable legal norms.

6. The National Women's Assembly for Democratic Transition had proposed that affirmative action be taken to ensure women's participation in decision-making within the Government, legislative organs, political parties and social organizations. Two of Mexico's main political parties had amended their statutes so that no more than 70 per cent of candidates for the Chamber of Deputies, the Senate or posts in their own executive bodies could be of the same sex. In the July 1997 elections, one quarter of candidates had been women. Currently, 17.4 per cent of seats in the Chamber of Deputies and 14.9 per cent of Senate seats were held by women. Nearly one quarter of members of Mexico's diplomatic and consular corps were women.

7. In order to improve the situation of women living in poverty, the Government had been implementing a Food, Health and Education Programme since 1997. The Programme concentrated on providing assistance to the most vulnerable population groups: pregnant and nursing mothers, children under five years of age, and young people of basic education age. It also provided monetary support to encourage schoolchildren, especially girls, not to drop out of school.

8. With a view to promoting equality of men and women in everyday life, basic education curricula had been revised and PRONAM had urged the media to assist in the elimination of gender-based stereotypes. In addition, a handbook entitled Gender perspective. Guide to the planning, implementation, monitoring and evaluation of research projects and public and civilian activities and a manual entitled Gender perspective. An instrument to build equality had been published in an effort to promote the elimination of gender-based stereotypes in the media and in community and family-care projects, respectively.

9. In 1989, an extensive review of existing legislation on sexual offences had been undertaken with a view to reducing the incidence of sexual offences against women. In 1990, the Pluralistic Victim Support Committee (known as Grupo Plural) had been established and had proposed a series of amendments to the provisions on sexual offences contained in the Federal District Penal Code and in the penal codes of individual states. Lastly, in 1996, the Belem do Pará Convention had been approved by the Senate and was in the final process of ratification.

10. While prostitution was not regulated in Mexico, the sale of sexual services by third parties was illegal. An analysis was currently being made as to whether prostitution could be regulated. A Federal Organized Crime Act had also been adopted.

11. With a view to meeting the challenges raised by the growing demand for education, the Government of Mexico had adopted various strategies, including the decentralization of education through the National Agreement for the Modernization of Basic Education.

12. Approximately 38 per cent of women aged 60 and over could neither read nor write, as compared with 26 per cent of men. In contrast, illiteracy had been practically eliminated among young men and women; currently only 4.04 per cent of the population between 15 and 24 years of age were illiterate. Among the indigenous population, 48.9 per cent of women over 15 years of age could neither

read nor write. Only two out of three indigenous girls between 6 and 14 years of age could read or write, a rate slightly below that for indigenous boys.

13. Enrolment in primary education was almost universal, with no significant difference between boys and girls. For secondary education, the enrolment rate was 89.1 per cent for boys and 84.2 per cent for girls. The female drop-out rate had diminished in recent years, but only 28 per cent of all females and 31 per cent of all males aged between 15 and 24 years had been attending school in 1995. Increasing numbers of women had entered higher education in recent years. In the 1994-1995 academic year, 82 women had been registered for every 100 men.

14. There was clearly a need to pay special attention to the educational needs of girls and young women, given their social and economic inequality in the country. Programmes had been launched to overcome educational backwardness in rural and indigenous communities, and particular attention was being paid to the female population of those areas. An increasing number of services were being made available to indigenous women.

15. The Federal Labour Act proclaimed women's right to work and established regulations for the protection of maternity. It also included special provisions governing the predominantly female sectors of domestic employment and home-based work. Many women lived in conditions of extreme poverty or marginalization, and a very large number of families were headed by women. Women's entry into the labour market was therefore not only a right but a necessity.

16. Major differences and inequalities persisted in terms of the number and the quality of the opportunities available to women. In recent years, considerable changes had taken place with regard to female participation in the labour market. The trend towards their concentration in certain occupations had not changed significantly, however. Women were traditionally employed in the services and commercial sectors, where current social security laws ensured them a number of benefits. The Ministry of Labour was running training programmes for women and special programmes for the disabled unemployed.

17. One of the principal challenges in the health sector was to ensure full coverage, particularly for women and children. A reproductive health and family planning programme had been established by the Ministry of Health; one particularly important aspect of that programme was that a gender perspective had been incorporated into all activities relating to standard-setting, education, communication, provision of services, research and evaluation. Statistics on abortion were difficult to compile in view of significant under-reporting, but it appeared that the incidence of abortion was on the decline.

18. The mortality rate had declined steadily in Mexico in recent decades. In 1995, life expectancy at birth had been 76.1 years for women and 69.7 for men. The decline in the risk of death during pregnancy, childbirth or the post-natal period was the result of measures taken by public health institutions. An intensive public information and awareness-raising campaign had been promoted in all health institutions, in cooperation with government agencies and non-governmental organizations. The proportion of pregnant women attended by a

doctor had increased from 54.9 per cent in the period 1974 to 1976 to 86.1 per cent between 1993 and 1995.

19. The decline in fertility was related to the increased use of contraception; in 1996, 66.8 per cent of women had been using birth control. However, teenage pregnancy continued to be a major problem. It was estimated that approximately 450,000 Mexican teenagers gave birth each year.

20. HIV/AIDS was another public health problem. Although it affected a larger number of men, it was nevertheless an important factor in women's health care. The Government had been pursuing a variety of measures to prevent and deal with AIDS since 1986, when it had established the National Council for AIDS Prevention and Control. Of the 52,000 AIDS patients in Mexico, 13 per cent were women. One priority of the national AIDS programme was to offer all pregnant women access to free treatment, in order to decrease the likelihood that their baby would be born infected.

21. The Government was implementing various funding programmes to foster the productive capacity of women, especially rural women; more recently, it had begun to develop strategies for offering financial support to micro-enterprises owned by women. A special programme had been launched to encourage initiatives by low-income businesswomen. The programme offered comprehensive support, involving information, technical advice, training, technological support and financing.

22. Extreme poverty affected more than 16 million people in Mexico, or 18 per cent of the total population. Available data indicated that 46.1 per cent of households headed by women lived in extreme poverty. Government efforts to alleviate rural poverty were often hamstrung by lack of coordination and continuity and the absence of a gender perspective in their design and application. Although women in Mexico were playing an increasingly important role in agriculture, it was significant to note that 66 per cent of women holding shares in communal land (ejidatarias) were over 50 years old and 29.6 per cent were over 65, meaning that their land was probably being worked for them by their children or other relatives. Women in rural areas had a lower life expectancy at birth and received a lower level of health care during pregnancy than women in urban areas. Lastly, despite the provisions of the Agrarian Act, the organizational capacity of women's industrial-agricultural units (UAIM) had not been used to the full.

23. In constitutional terms, Mexican women were subject to no legal limitations whatsoever. However, an individual's legal capacity also included the capacity to exercise it, which in the case of women was reduced by certain articles of the civil codes of individual states.

24. With regard to the custody of children, a distinction was made between divorce by mutual consent and judicial divorce. In the former, custody was agreed between the spouses and was almost always awarded to the mother. In the latter, custody was determined by the judge. As to the property of the spouses, the marriage contract could be based on either separate or joint ownership of poverty, without making any distinction between the man and the woman.

25. The Mexican Government was aware of the shortcomings of its equality and equal opportunities policy. It also recognized that far-reaching social change could be brought about only by altering the most deeply held values and attitudes in society.

26. Turning to the questions contained in the report of the pre-session working group (CEDAW/C/1998/I/CRP.1/Add.4), she noted, in response to the general question put by the Committee regarding the influence of the North American Free Trade Agreement on the lives of Mexican women, that the Mexican authorities had been unable to reach any definitive conclusions in that regard. It was very difficult to isolate the economic effects of the Free Trade Agreement from other factors that influenced the behaviour of the economy.

27. With regard to question 7, the Programme on Matters relating to Women, Children and the Family of the National Human Rights Commission was directly subordinate, for decision-making purposes, to the President of the Commission and its coordinator was a member of the staff of the President's office. The Programme had a staff of 10 and formed part of a regional network of women's rights offices. As far as its achievements were concerned, it had dealt with 996 cases involving a variety of violations. A total of 339 complaints had been lodged in 1997. Most complaints had involved deficiencies in the public services provided by educational, health care and judicial institutions.

28. Regarding question 8 and the apparent retrogression in the New Agrarian Act, she explained that under the 1971 Agrarian Reform Act, women could operate an industrial-agricultural unit (UAIM) on land set aside by the ejido. However, what had happened in practice was that either the UAIM had been given land that was not adjacent to the area of urbanization, as stipulated, or the land had been made over to another beneficiary, usually a man, or a UAIM had not been organized at all. Institutional intervention had also been necessary in many cases to convince the assembly of the ejido to transfer land to the UAIM. Under the New Agrarian Act, the procedures for obtaining land for a UAIM had become more cumbersome. Ejido authorities often ignored the land rights of the UAIM, and women of the ejido who were not UAIM members could now obtain land. Nevertheless, rural women were playing an increasingly important role in agricultural communities. In 1970, only 31,459 women had been ejido members; by 1996, that number had risen to 139,547. A further 18,890 owned their own land and 93,205 had the use of ejido land; women were also assuming leadership positions in ejido governments.

29. Turning to question 9, the National Human Rights Commission had made a study of legislation in some states which discriminated against women and was inconsistent with national legislation. The results of the study and proposals for amendments had been sent to the competent authorities, and some states had already amended their legislation.

30. With respect to the procedures for amending legislation, the federal executive branch, deputies and senators and the legislatures of individual states could propose legislation. Following its discussion at the local or federal level, draft legislation was sent to the executive branch for comment, approval and publication. The Constitution limited the number of matters on which the national Congress could legislate, and the congresses of individual

states therefore dealt with a number of issues which were of vital importance for the legal protection of women. Any review of Mexican legislation was therefore a long-term task requiring enormous expenditure of time and effort.

31. Turning to question 10, she said that pregnant women and nursing mothers were not permitted to perform work which might endanger their health or that of their babies, including heavy work, night work and overtime, and were entitled to maternity leave from six weeks before to six weeks after delivery. Nursing mothers were given two half-hour breaks per day to feed their babies. None of those provisions had any effect on a woman's salary, benefits or other rights. If an employee exposed to the hazards described in paragraph 41 of the report became pregnant, she was entitled to compensation for any harm sustained, but must inform her employer as soon as she knew that she was pregnant, so that she could be transferred temporarily to a job that was not hazardous.

32. With regard to the protection of minors in the workplace (question 11), elementary and secondary education were compulsory. As a result, children under the age of 14 could not work, while those aged 14 to 15 were limited to a workday of six hours; children under 18 were barred from jobs that would expose them to radiation.

33. With regard to the functioning of, and the relationship among, the Department for the Coordination of Matters relating to Women, the National Programme for Women (PRONAM), the PRONAM Executive Coordinating Office and the Consultative and Social Monitoring Boards (question 12), she explained that the PRONAM Executive Coordinating Office, which came under the Ministry of the Interior, was responsible for formulating, regulating, coordinating and supervising polices in support of women's participation in development. All federal agencies were required to comply with PRONAM. The Consultative and Social Monitoring Boards were auxiliary organs which provided advisory services and follow-up to the Executive Coordinating Office. The Department for the Coordination of Matters relating to Women worked in cooperation with the PRONAM Executive Coordinating Office; the former dealt with international activities on behalf of women and the latter with national activities.

34. The Executive Coordinating Office had a staff of 38 and a budget of US$ 2.9 million; the Consultative and Social Monitoring Boards carried out their functions on an unpaid basis and the Department for the Coordination of Matters relating to Women was funded through the Ministry of Foreign Affairs. Activities related to the nine objectives of PRONAM were financed from the budgets of the appropriate federal agencies.

35. Responding to question 13, she said that the Social Monitoring Board, in cooperation with the National Institute of Statistics and United Nations agencies, was establishing an information, documentation and research system on the status of women and that a series of workshops on statistical information in the fields of education, labour, political participation, health, households, families and housing were being held. A system of gender indicators for the monitoring and evaluation of the status of women in Mexico would also provide information on women and gender roles and would be used for the formulation of public policy.

36. With regard to question 14, there could not be any national legislation requiring political parties to nominate a certain percentage of women candidates, because each state had its own electoral code. The National Human Rights Commission proposal had been submitted to all state legislatures.

37. Turning to question 15, she said that the proposal to revise labour standards and working hours so that men and women might share family responsibilities on an equal basis, had been presented at workshops, seminars and conferences organized jointly with women's organizations and attended by civil servants and representatives of trade unions and employers. Field surveys had also been carried out to determine the real situation with regard to the sharing of responsibilities within the home.

38. Replying to question 16, she said that gender issues were only just beginning to be incorporated into the curricula of schools of journalism, communication sciences and advertising, but PRONAM had made a study of gender stereotypes and sexism in advertising and an analysis of secondary school distance education programmes; the results of its research would be submitted to the Ministry of Education, advertising associations and the National Radio and Television Board and would be disseminated to public and private higher education institutions.

39. In response to the request in question 17 for information on federal legislation as it related to article 6 of the Convention, she said that the Federal Organized Crime Act had been published in the Diario Oficial. The purpose of the Act was to establish rules for the investigation, prosecution, trial, sentencing and punishment of individuals involved in organized crime. Its provisions constituted public policy and were enforceable throughout the country. The Act covered trafficking in minors but not in adult women. However, the National Human Rights Commission had made proposals aimed at protecting women and girls from that practice in individual states. Most penal codes classified traffic in women under procuring, which was defined as the habitual or casual exploitation of another person's body as a means of support or for profit. Unfortunately, procuring was not considered a serious offence, and deception, physical or psychological violence and lack of consent or enforced consent of the victim were not covered by the penal code. Penalties for procuring varied from state to state and included prison sentences of from 2 to 9 years and fines equivalent to between 50 and 500 days' minimum wage. Only some local codes defined child prostitution as procuring, while most treated it as corruption of minors, which was an offence against public decency. The penalties were light and there was no provision for compensation.

40. The Federal District Human Rights Commission's proposal for the regulation of prostitution was divided into two parts, one dealing with health and safety standards and the other with the authorization and supervision of places of prostitution. The intention was to establish specific places where prostitution could be practised, in order to eliminate the threat to public morality, the corruption of police officers and the clandestine nature of the activity while respecting the dignity of prostitutes and penalizing those who trafficked in their services. The proposal had not yet been adopted.

41. With regard to domestic violence (question 19), she said that the Federal District Department of Public Prosecution had set up a centre for victims and a programme to rehabilitate offenders. With regard to question 20, the Justice Department had organized two meetings of the specialized agencies referred to in paragraph 101 of the report, to determine whether the agencies were functioning effectively and what more needed to be done to make public servants more aware of the problem.

42. Under Federal District criminal and civil law, domestic violence was an offence punishable by imprisonment in serious criminal cases and by divorce and revocation of parental rights in civil cases. Efforts were being made to solve the problem without destroying the family. The states did not have such legislation, although some of them had administrative provisions for the prevention of domestic violence and the care of victims.

43. The President and women members of Congress had proposed legislation designed to discourage and punish domestic violence, protect victims, increase public awareness of the problem and develop policies to combat it. Recent reforms had made domestic violence grounds for divorce, and courts could bar one spouse's access to the other and take other preventive measures. Amendments to penal law had also provided for compensation to be made for criminal acts of domestic violence, and had made the law applicable also to persons living together but not married or related in any way. The penalty for rape, which could also be ruled to have occurred between spouses, varied from 8 to 14 years' imprisonment.

44. No national study had been made of the way in which women who reported violence were treated, but various local studies had led to the development of treatment models which emphasized victims' empowerment. A 1995 survey of citizens' attitudes towards domestic violence, carried out by the Mexican Association to Combat Violence against Women, had contributed to the establishment of shelters for abused women.

45. Replying to question 21, she said that the Convention of Belém do Pará had been adopted by the Senate in 1996 and published in the Diario Oficial; it thus had the rank of constitutional law throughout the country. It was in the process of ratification by the executive branch.

46. Since domestic violence was regulated at the state level, it was not possible to adopt national legislation similar to that of the Federal District. However, a meeting of Mexican women legislators had been held to discuss ways of protecting and assisting victims and of punishing offenders more severely. Several states had adopted legislation on domestic violence, and others were in the process of doing so.

47. The Government had increased its efforts to ensure that victims of sexual offences could report them without fear of retaliation, and most states had specialized agencies which provided medical care and counselling to victims. Between 1989 and 1997, the agencies had assisted over 42,000 victims or relatives of victims. In the first six months of 1997, over 1,400 complaints had been lodged.

48. Anyone convicted of corruption of a minor under the age of 16 was liable to between 3 and 8 years' imprisonment and a fine equivalent to between 200 and 500 days' minimum wage. The penalties were greater when there were aggravating circumstances.

49. With regard to the training of judicial officials (question 24), she said that PRONAM was developing a project to make judges more aware of the importance of applying the Convention of Belém do Pará and that a manual on the Convention would be used at a series of regional workshops to be held in 1998.

50. With regard to question 25, current legislation did not include sexual harassment by co-workers as the offender was defined as being in a position of authority over the victim.

51. Replying to question 26, she said that during the recent revision of the Social Security Act, trade unions had defended women's right to health care and day care centres. Each trade union had a department of women's affairs, and the Mexican Workers' Confederation, the largest trade union, had launched a programme for women workers consisting of educational activities, cultural activities, citizen's education, leisure and recreational activities, training in labour legislation, participation in union activities, and health programmes. Women held high-level posts in several trade unions and women members were in a majority in some unions.

52. With regard to question 27, the Programme of Action for increasing the number of women in the foreign service (para. 167 of the report) was still under preparation. The newly appointed Minister for Foreign Affairs was a woman, as was the Deputy Minister for Multilateral Affairs.

53. With regard to the promotion of higher school attendance rates among working children (question 28), she said that the National Programme of Action for Children 1995-2000 had been reoriented towards more vulnerable groups of children, including working children, and encompassed health, nutrition, education and judicial protection. Special programmes for the education of children of migrant workers had been introduced; 30 per cent of the students in those programmes were girls.

54. Concerning the relatively high drop-out rate among girls between the ages of 6 and 14 (question 29), she said that government action had resulted in improved school attendance among both boys and girls. However, structural conditions such as geographical inaccessibility or extreme poverty, which forced many children to work, made it difficult to achieve universal attendance. Government efforts to improve the situation included the development of remedial programmes in marginalized communities, preschool programmes, a programme for strengthening reading and writing skills, a programme providing secondary school textbooks at no cost, indigenous education programmes and an education, health and nutrition programme.

55. With regard to the indigenous population (question 30), there were 6,715,591 indigenous people in Mexico and the Government provided 45 of the 56 indigenous communities with initial, preschool and primary education, as well as hostels, social integration centres and bilingual radio stations. An estimated

87.9 per cent of the country's indigenous children attended bilingual primary schools. There were no statistics on indigenous children who were receiving other forms of education or were not attending school. Between 1990 and 1996, the number of students and teachers in indigenous primary schools had increased by 23.7 and 32.6 per cent, respectively.

56. Replying to question 31, she said that the 1992 National Agreement for the Modernization of Basic Education had made preschool and secondary education more widely available, improved academic performance and narrowed the gender gap in school attendance. Educational funding was provided at the federal and state levels and had increased at a rate higher than that of the Gross Domestic Product (GDP).

57. Replying to questions 32 and 33, she said that, under the Federal Labour Act, women employed in the formal sector were entitled to maternity leave from six weeks before to six weeks after delivery. They received full pay during that period and retained the right to return to the same post within one year after giving birth. Mexican legislation prohibited dismissal during pregnancy and maternity leave, and working parents of small children were entitled to special leave when their children were ill.

58. Social security legislation provided for family allowance to be paid to the beneficiaries of an insured disabled person, as well as for the establishment of job retraining centres for the disabled. Retirement legislation established the same rights and obligations for male and female workers.

59. On the question of social security protection for women victims of accidents at work (question 34), employers were responsible for the job-related accidents and occupational diseases of their employees and were therefore required to pay appropriate compensation, regardless of the gender of the affected worker. Workers were also eligible for social security benefits in that connection.

60. The difference in the constitutional and legislative framework governing access to employment (question 35) lay in the treatment given to pregnant women; such differentiated treatment was for their own protection and did not imply any restriction on their rights. Federal labour legislation imposed financial penalties for employers who made the hiring of women conditional on their not being pregnant or married.

61. On the question of whether the reported percentage of women workers included part-time or self-employed workers (question 36), she explained that the economically active population consisted of persons who had been working or had looked for work during the week in which the employment survey was conducted. The category of worker was irrelevant. In 1996, the open unemployment rate for women (4.1 per cent) had been significantly higher than the rate for men (3.5 per cent) (question 37). The category of unpaid women workers (question 38) mentioned in paragraph 232 of the report referred to persons who, during the survey week, had been working in a family business or in agricultural activities for the family's own consumption without receiving

monetary compensation. It also included unpaid non-family workers. Unpaid workers were included in national employment figures.

62. As to the Government's strategies in relation to the situation of women employed in export-oriented assembly plants (maquilas) (question 39), the majority of maquilas complied with the relevant labour legislation. Both the Ministry of Labour and local governments carried out inspections. If inspections revealed violations of labour law, administrative measures were taken to enforce compliance, including warnings of closure.

63. With regard to ILO Convention No. 156 (question 40), PRONAM had been promoting greater public awareness of the importance of sharing family responsibilities by holding workshops and seminars in which public officials and a variety of social organizations participated. A change of attitude towards gender roles was becoming perceptible.

64. Concerning the number of public and private day-care centres and the percentages of children attending them (question 41), by December 1997, the Mexican Social Security Institute had had an installed capacity of 65,000 places. Federal, state and municipal employees also had access to day-care services free of charge, and private day-care centres existed for those workers who could afford them. Nevertheless, the care of children was still mainly entrusted to members of the extended family. Access to day-care centres was open to healthy children between the ages of 43 days and four years whose working mother or custodial parent was insured. Parents were not required to pay for the services of public day-care centres.

65. Turning to question 42, the basic package of health services covered women in marginalized and vulnerable groups, and included basic sanitation; pregnancy, childbirth and post-natal care; immunizations; treatment of diarrhoea, parasites and respiratory infections; prevention and treatment of tuberculosis, diabetes and high blood pressure; and community training in health care. In addition, the solidarity programme operated by the Mexican Social Security Institute in mainly rural areas adapted traditional models of community organization to promote self-help activities and provided reproductive health care.

66. With regard to cancer prevention programmes (question 43), the goals of Mexico's cervical and uterine cancer prevention and control programme were to increase cancer detection coverage for women aged 25 to 64 years to 70 per cent by the year 2000 and to treat 90 per cent of cases diagnosed at an early stage. Public health institutions provided detection services free of charge, and several non-governmental organizations conducted pap smears for a very small charge.

67. On the subject of sex education in schools (question 44), primary and secondary school curricula covered such topics as human reproduction, reproductive health, sexuality and self-esteem.

68. Gender-disaggregated data on the situation of disabled women in Mexico (question 45) were not readily available. Over 10 per cent of children aged 6 to 12 had some kind of disability. A survey of primary school pupils had revealed that more than 2.7 million boys and girls in Mexico suffered from some

kind of disability, although 29 per cent of those were sight related and mostly remedied by wearing glasses. Of the total, 2.12 million were already receiving education in either special schools or ordinary schools. Six per cent of the total disabled population lived alone, while the remainder lived with their families. No information was available on the percentage living in public or private centres. In 1995, a national programme for the integration in development of persons with disabilities had been launched to promote their incorporation into the labour force and to reduce their transportation difficulties. No specific action was being taken to integrate disabled women.

69. On the subject of female sterilization (question 46), family planning services must, by law, include publicity, education, counselling, the selection, prescription and application of contraceptive methods, and infertility treatment. Tubal ligation was available on request; counselling, informed consent and proper medical procedures were stipulated, but a woman did not require the consent of her partner or parents. If a woman was unable to give consent and sterilization procedure was necessary to protect her health, the written consent of her legal representative was required.

70. With regard to the special needs of Mexico's indigenous population (question 47), there were 56 ethnic groups living in the national territory. The rural population, accounting for 26 per cent of the total population, generally had limited access to basic services and lived in conditions of marginalization and poverty. PRONAM established guidelines for meeting the needs of indigenous and rural women. In education, programmes were in place to educate indigenous mothers in the care of young children, to expand teaching of children's mother tongue in preschool education and to develop materials for the teaching of Spanish as a second language. In health, the promotion of safe motherhood and the provision of contraception, particularly among scattered rural populations and indigenous communities, were designed to reduce maternal morbidity and mortality. In the area of poverty alleviation, giving women land, credit and training was essential. To develop production, viable projects were being identified which not only made efficient use of natural resources but also strengthened women's productive capacity and generated income for rural households. Efforts were also being made to safeguard the human, civil and cultural rights of indigenous women and to protect them against all forms of ethnic and gender discrimination.

The meeting rose at 1 p.m.

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Eighteenth session

SUMMARY RECORD OF THE 376th MEETING

Held at Headquarters, New York,
on Friday, 30 January 1998 at 3 p.m.

Chairperson: Ms. KHAN

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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Third and fourth periodic reports of Mexico (continued)

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

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The meeting was called to order at 3.05 p.m.

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Third and fourth periodic reports of Mexico (continued) (CEDAW/C/MEX/3-4 and Add.1 and CEDAW/C/1998/I/CRP.1/Add.4)

1. At the invitation of the Chairperson, Ms. Sauri (Mexico) took a place at the Committee table.

2. Ms. SAURI (Mexico), continuing her response to question 47 under article 14, contained in the report of the pre-session working group (CEDAW/C/1998/I/CRP.1/Add.4), said that the technical cooperation network of institutions and agencies providing support to rural women was coordinated by the National Women's Programme (PRONAM). Since December 1996, three working meetings on public-sector policies and programmes for rural women had been held with a view to incorporating a gender perspective in areas ranging from health, education and labour to financing, sustainable development, legal advice and family matters. The commitments laid down at the first such meeting included establishing inter- and intra-institutional mechanisms to generate and support productive and development projects, offering workshops on the techniques of negotiating contracts, strengthening cooperation with rural development institutions at both the state and federal level, establishing closer links with non-governmental organizations in order to identify and address obstacles to obtaining credit, and disseminating information with a gender perspective. The second meeting, devoted to land reform, had focused on a study on Mexican women in agriculture and a book published jointly by the Ministry of Social Development and the United Nations Development Programme (UNDP) on the role of Mexican women in local government. The network would continue to promote closer coordination at the national level in an effort to fulfil international commitments, identify the priority needs of Mexican rural women by the competent bodies with a view to obtaining international assistance for various projects, and formulate an integral approach by Government agencies to such areas as health, work, education and international cooperation.

3. As a result of a national survey of activities, programmes and projects for rural women carried out by the various State ministries, 30 federal public institutions, 6 academic institutions, 15 social organizations and 10 non-governmental organizations had been added to the national network. The Ministry of Agriculture, Stockbreeding and Rural Development provided equipment to rural women and promoted, inter alia, farming activities, micro-enterprises, fruit and vegetable gardening and the use of medium-sized machinery. The Ministry of Social Development carried out poverty eradication programmes, including programmes for farm labourers and for the development of social enterprises; it had also established a fund to support enterprises owned by rural women and regional funds for indigenous people. The National Institute for Indigenous Peoples channelled resources to 4,500 indigenous women, with the participation of the World Food Programme. In 1996, the National Women's Programme (PRONAM) had implemented projects to improve nutrition, housing and production. Within the framework of a decentralization and regional development

project supported by the World Bank, a pilot programme of productive activities for indigenous and mestizo women in northern and central Veracruz was being implemented. The Ministry of Land Reform was carrying out the Programme for the Certification of Ejidos (PROCEDE). There were 139,000 female ejido farmers in Mexico, representing 17.5 per cent of those persons entitled to a smallholding or to common-use land. It also supported the basic production needs of rural women in the most marginalized regions.

4. The Ministry of the Treasury and Public Credit promoted the integration of women into agricultural production and provided credit facilities to that end. The National Rural Loan Bank provided a total of 24 million pesos in agricultural loans to 451 rural women's groups. The Ministry of Health sponsored programmes for the detection and treatment of cervical, uterine and breast cancer as well as dysplasia. It also provided family planning services, neo-natal care and assistance with labour and delivery in communities where there were no traditional midwives.

5. The National Farmers Confederation promoted the advancement of rural women's interests by encouraging grass-roots female leadership. The National Federation of Women's Agricultural Units and rural women's economic organizations offered business training to women in rural areas. Finally, the María Lavalle Urbina scholarship fund provided scholarships to rural girls who were the daughters of poor farmers and fishermen.

6. Under a programme entitled "Women in Solidarity", which provided services to rural communities and, to some extent, indigenous peoples, 4,500 women's committees were carrying out 6,100 social and productive projects. In Veracruz, thanks to an innovative programme for women, rural women's involvement in their own development as well as women's collective work were being strengthened. Traditional projects relating, for example, to water, electricity and sewing workshops, were aimed at easing the burden of household work and increasing efficiency and income generation. In six years, 14 regional organizations, involving 8,106 women, had been formed in the Sierra Norte region of the state of Veracruz. Regional organizations had promoted 439 productive projects and published a manual on training workshops for indigenous women.

7. Replying to question 47 under article 14, she said that contraceptives had been more widely distributed in Chiapas with a view to diminishing the overall fertility rate, which was the highest in the country (3.6 children per woman). The rate of women's participation in the economy was 28.1 per cent in Chiapas, compared to the national average of 35.1 per cent. Women in Chiapas worked mainly in the tertiary sector. Nearly half of indigenous girls between 6 and 14 years of age and 65 per cent of indigenous women over 15 years of age were illiterate.

8. In a situation of cultural isolation and dependency on the land and its resources, the problems of land ownership and agricultural exploitation in Chiapas were aggravated by rapid population growth, particularly in the jungle area. Plummeting coffee prices, the lack of crop diversification and the closure of the national market to meat from Chiapas for health reasons had all aggravated tensions in that region. The federal Government had accorded top priority to the situation in Chiapas, where its poverty eradication programmes

focused on health, education, housing and the social infrastructure. At the same time, it was pursuing a reconciliation and peace process.

9. Under the first component of its social and productive strategy - development financing - the federal Government accorded top priority to Chiapas in its annual budget. Under the strategy, which was designed to remedy the region's serious underdevelopment, 57 billion pesos had been channelled into assisting the areas in greatest need, ensuring equitable resource distribution, and eradicating poverty. Under the Social Development Agreement, an added 3 billion pesos had been earmarked for development financing, largely for direct use by municipal governments.

10. Since the social strategy of the federal Government also stressed the infrastructure improvement, a considerable investment in that area had been made in 1994 to improve the drinking water supply, sewerage facilities and the provision of electricity to municipalities. The Ministry of Communications and Transport had launched an ambitious road-building programme, which included construction projects on the highway along the southern border; the paving and resurfacing of roads; the construction of an international bridge; and the building of the Palenque and San Cristóbal airports. The National Water Commission had installed drinking-water systems in 290 communities, covering a population of 200,000 inhabitants.

11. The federal programme to improve the coverage and quality of education had resulted in a significant increase in girls' school enrolment, more than double the national increase in enrolment in the last three years of primary school. Facilities accommodating 103,000 new pupils at that level had been constructed and 300 television schools had been equipped. The number of pupils successfully completing school had risen from 43 per cent in 1994 to 61 per cent in the 1996-1997 school year. Other initiatives included the distribution of textbooks in the main indigenous languages and community education programmes for 400,000 pupils in indigenous regions. In addition, 50 new high schools and a technical university had been opened. In the area of health, 32 primary health care units had been opened in 1997 alone, increasing health coverage in Chiapas by 10 per cent to 87 persons per 100 inhabitants.

12. In the area of nutrition, free breakfasts were distributed to nearly half the pupils enrolled in pre-school programmes and primary school; and 1,730 rural stores serviced nearly 2 million inhabitants. Daily rations of milk and tortillas were also being provided to 160,000 children and 70,000 families, respectively. In addition, approximately one out of every three families in Chiapas benefited from an integrated nutrition, education and health programme conducted in the Los Altos and mountain regions.

13. With a view to creating 30,000 new jobs, primarily in agriculture, for a predominantly youthful population, Government programmes stressed the diversification of production and promoted cash crops. Cattle-raising, milk production and genetic improvement programmes were being supported by the Rural Alliance; and the private sector was providing assistance for crop diversification, including the cultivation of African palm trees and commercial wood plantations. Social organizations sponsored programmes to increase productivity and income with a view to creating 21,000 temporary jobs annually.

Interest-free credit had been granted to approximately 55,000 producers; more than 50,000 indigenous producers received annual support from the regional funds of the National Indigenous Affairs Institute. In addition, 500 productive projects, which generated approximately 13,000 jobs every year, were being financed from the enlarged budget of the National Social Enterprises Fund, primarily in the Altos and Sierra regions and the jungle and northern areas. Strengthening social organizations was a key component of all programmes relating to production and employment. The programmes, which were participatory in nature, were aimed at affording rural and indigenous producers access to financing, technology and training.

14. A number of agreements had been concluded to improve the situation in Chiapas. Under the Agrarian Agreements, concluded in 1996 between the Government and 72 farmers and indigenous organizations, 187,000 hectares of land had already been distributed. An investment fund had been established in support of those agreements. Under regional agreements, social service centres had been established in the regions of Las Cañadas and Los Altos, and the mountainous and northern areas. The social service centres were mechanisms for formulating development strategies with community participation. The programme in Las Cañadas was an example of a successful programme in which more than 240 million pesos had been utilized to install electrical and water facilities and improve rural housing and roads. The programme had been based on dialogue and consultation, including with the Ejército Zapatista de Liberación Nacional (EZLN). The dialogue had also formed the basis for the social agreement for the northern and Chol regions, which had resulted in the construction of health facilities, the paving and construction of roads, and the supply of drinking water to 20 communities. The social agreement for the Los Altos region, one of the most densely populated areas of Chiapas, had resulted in the construction of infrastructures, the expansion of services, and the promotion of productive development.

15. Outlining the overall progress achieved in the state of Chiapas during the 1995-1997 period, she noted the provision of basic health services to 600,000 inhabitants; a vaccination campaign which covered 91 per cent of children between the ages of one and four years; a 25 per cent decrease in mortality caused by acute diarrhoeal diseases in children under five years of age between 1994 and 1996; and the establishment of the "Chiapas Health 2000" programme and of a decentralized Health Institute in 1996. A programme to assist persons displaced by the conflict in Chiapas had been created in 1998. In its first nine days of existence, it had serviced 2,300 indigenous people, mainly women and children. As a result of the conflict in the region, indigenous women had begun to organize in order to assert their rights, and PRONAM was monitoring the situation of women in Chiapas. Many of the proposals put forward within the context of the political upheaval had concerned women, such as the importance of respecting their human rights, dignity and integrity in conflict resolution; recognition on the part of local authorities of decisions taken by women's groups, and the equal participation of women in the election of local authorities. The proposals and demands of indigenous women were currently being considered by Government agencies to determine the appropriate way to respond to them and non-governmental organizations which worked with indigenous women were being supported in order to achieve better results in the various activities being carried out.

16. Referring to question 48 under article 14 in the report of the pre-session working group, she said that health services took into account major health risks and addressed priority problems. Under the Programme for Reproductive Health, an information, education and communications campaign, based on the principle of "informed and shared consent", promoted the use of various methods of contraception. The Programme offered sexual health education courses to 60 per cent of the adolescents in rural communities, and all rural women of childbearing age were briefed on risk factors in pregnancy. The Programme's objectives for the 1996-2000 period were, inter alia, a 20 per cent reduction in preventable maternal mortality; the analysis of 50 per cent of maternal deaths with a view to formulating preventive strategies; the follow-up of 90 per cent of high-risk pregnancies with the help of community volunteers, rural health assistants and midwives; the distribution of contraceptives to 90 per cent of women who gave birth; and an increase of 80 per cent in the use of intra-uterine devices and surgical methods. The Programme also promoted the literacy and basic education of 14,300 women receiving integral health care. In addition, pregnant women were monitored by local volunteers in the "Adopt a pregnant woman" programme. Another vital aspect of health care was the elimination of unsanitary conditions through the building of latrines and the provision of training in handling human waste and water chlorination.

17. The National Institute of Adult Education, which provided services to 2.2 million women, 76 per cent of whom were located in the rural areas, was developing a literacy project with a gender perspective. Distance education facilities included the Satellite Education Television Distribution Network (EDUSAT) and an educational television series which prepared mothers as community educators. In March 1998, a national women's health card would be distributed in order to monitor perinatal care and facilitate family planning and the early detention of cervical and uterine cancer. Other programmes included the Programme for Education, Health and Nutrition (PROGRESA), launched during the 1997-1998 school year as a multisectoral effort to combat extreme poverty by encouraging children to attend school.

18. Regarding the percentage of women among rural migrants to urban areas (question 49), approximately half of all migrants in the period 1987 to 1992 had been women and, of those, almost three quarters had migrated to towns with over 20,000 inhabitants. Migration could also be measured in terms of place of birth, and according to the 1990 and 1995 censuses, approximately 52 per cent of the 14 million who were then living in a place other than their place of birth were women. As to the situation of migrant women, 1987-1992 data indicated that approximately 5 per cent over the age of six had no education; 52 per cent, primary education; 34 per cent, secondary education; and 8 per cent, higher education. Most migrant women were adolescents and young adults, and those under 15 generally migrated with their families. About 13 per cent of the women were between the ages of 5 and 14, 16 per cent between 15 and 24, 12 per cent between 25 and 34, and 5 per cent above the age of 35.

19. With regard to the legislation on cohabitation (question 50), the labour and social security laws gave much the same rights to common-law partners as to wives of workers. Not every de facto union was recognized as cohabitation, however: a couple must have had children whom they recognized or must have lived together for at least 5 years with no previous undissolved marriage.

Article 501 of the Federal Labour Act, for instance, established that surviving common-law partners were entitled to death benefits in the absence of a surviving partner if they met such conditions and if they had depended upon the worker for their support. Her Government had sought to give the Committee as much information as possible, but was well aware that it needed to do a great deal to guarantee equality in the daily lives of all its citizens.

20. Ms. FERRER commended the Government for the frankness of its report and the very useful exchanges that it had carried on with non-governmental organizations prior to submitting it. Also laudable were the high level of the delegation that it had sent to meet with the Committee, and the delegation's exhaustive answers to the questions in the report of the pre-session working group.

21. One of the most important steps taken by the Government had been the establishment of the National Programme for Women (PRONAM); and a great many relevant programmes, regulations and laws had in fact been adopted since the previous report, including provisions to combat violence against women. The information provided on education, health and employment was particularly interesting. The delegation had given a good sense of the achievements and obstacles, and it had been corroborated by outside sources.

22. Although the Constitution guaranteed gender equality and the Convention had been incorporated into domestic law, some Mexican laws were still incompatible with the Convention, according to a study done of national laws by the Commission on Human Rights. PRONAM should do a state-by-state analysis and Mexico's state legislatures should be made to modify any laws found wanting, especially in the areas of family law and the legislation regulating the maquila industry. Affirmative action should be used to increase the numbers of women in decision-making positions, and PRONAM must prevent the abuse of indigenous women, notably in the state of Chiapas, who were particularly poor and marginalized, and establish special health and social services for them under much needed anti-poverty programmes. It was clear that the Mexican Government had the political will to tackle all those problems.

23. Ms. BUSTELO GARCIA DEL REAL observed that any economic and social advances in Mexico would affect all Latin America, and noted its legislative and de facto progress since the previous report. As the economy improved, it must distribute the wealth more equitably to economically and geographically disadvantaged states, and especially to disadvantaged women, some of whom, like those working in the maquila industry, lived beyond the reach of government protection. Under its federal system, it was true that the Government could not impose its will on state legislatures, but more federal funds would speed up reforms. The Government must also allocate needed funds for home care, care of the disabled and day care for the children of working mothers. A more reliable and inclusive system of data on women would be necessary.

24. Regarding the proposed regulation of prostitution by the federal Human Rights Commission (issue 18), it was to be hoped that the legislation drafted would not be discriminatory in stipulating medical requirements for women but not for their male clients and that it would conform to all articles of the Convention. It was not clear whether homosexuality was addressed in the Penal

Code and whether abortion was prohibited. Gender-based statistics on minimum pensions and the conditions for entitlement would also be useful.

25. Ms. OUEDRAOGO said that she appreciated the analytical, frank report giving abundant information on national programmes. It would be interesting, however, to know to what extent women had mobilized to help themselves, what women's associations had been founded and what the reaction of women had been to the report. The many nationally coordinated mechanisms set up to address what were admittedly multisectoral problems might conceivably have created a problem of leadership and ultimate responsibility, and she wondered if there were any plans to merge some of those agencies.

26. Despite the many programmes tailored to rural women, it would be interesting to know how many rural women had actually acquired the confidence to run businesses or take out loans, and how the Government was planning to encourage them to become entrepreneurs.

27. Ms. AOUIJ observed that despite the precedence given to the Constitution and the Convention in Mexican law, some laws were still discriminatory and did not include a specific affirmation of the right to equality for women. If the Convention could not be invoked directly in Mexican courts, legislation to that effect ought to be adopted. Laws promoting the advancement of women were particularly crucial in the control of the family, where women were often assigned to stereotypical roles and did not share responsibility. The very early marriage age of 14 years, the fact that child care was left exclusively to mothers until the age of seven and the discriminatory inheritance laws were also matters of concern. Mexico further needed a national law concerning violence against women, and judges must change their attitude towards rape. As Mexico began to emerge from a very difficult economic crisis, care must be taken to distribute the benefits to all, especially the most disadvantaged and, among them, rural women. The Government's political will was incontestable: it now remained for it to eliminate the gap between the de facto and de jure situations.

28. Ms. HARTONO asked whether copies of the Mexican Constitution or copies of the parts of the Constitution concerning gender issues could be made available to the Committee. Referring to page 11 of the oral presentation, she sought clarification as to the period of time during which radical changes had occurred in the cultural and educational life of Mexico. The Government should be more explicit in that regard in the next report. She wished to know why 10 per cent of the population between 6 and 12 years old was handicapped, which was rather alarming.

29. Ms. CARTWRIGHT asked about women's access to justice. She was very interested in seeing how the provisions of the Convention were actually translated into reality for Mexican women. Although women were entitled by law to own land, raise mortgages and inherit, and programmes had been established to ensure that they had an equal allocation of land, did they in reality receive a fair share of land? Did widows routinely receive a full share of their husband's estate under his will, or was there a preference for male relatives? If widows did not receive a full share of their deceased husband's assets, particularly land, were there adequate provisions for seeking redress from the

courts? Concerning rape and sexual offenses, while she applauded the measures that had been taken by the Mexican Government under article 6 of the Convention, she was very concerned about reports of widespread problems regarding the reluctance of the police to arrest men accused of rape and allegations that members of the police and armed forces had raped women in their custody. Was the Government making a determined effort to ensure that any such reported offenses were prosecuted? There was a need for ongoing education to make those responsible for administering the justice system, in particular the police, armed forces, lawyers and judges, not only aware of how such offenses affected women's lives, but also of the commitment that Mexico had made by ratifying the Convention. There must be a strong commitment on the part of the judiciary itself to undergo and maintain such educational programmes. She was pleased to note that there was a reasonably good proportion of women in the judiciary. There must be ongoing efforts to enhance the proportion of women in the judiciary because that would make it easier for women who were victims of sexual crimes to come forward.

30. There should be a law on marital rape, which was essential if attitudes about forced sexual relations were to be changed. Although there was a marital property regime, reports reaching the Committee suggested that if a woman was responsible for the break-up of a marriage, she did not receive a share of the marital property. That was disquieting because women needed somewhere to live and a source of income, especially if they had children and had no income-earning potential. Following the break-up of the relationship between persons living together, was there any possibility of obtaining redress from the courts to divide any property fairly between the partners, irrespective of whether there were children? How broad was the regime for the provision of legal assistance to women who were defendants in criminal actions or who wished to bring civil actions themselves?

31. Ms. SHALEV said that while the Committee was very concerned about the extent of adolescent pregnancy, it welcomed the national programmes for the prevention of pregnancy and the provision of integral care for teenage mothers. The Government's next report should provide details on the results of those programmes. It should consider decriminalizing abortion, since the statute was not enforced and it only made abortion more dangerous for women. There seemed to be a structural problem under the existing legal regime. In some states, there were exceptions to the criminal prohibition of abortion when the mother's life was in danger or when the pregnancy was the result of rape. On the other hand, there were no legal procedures for women to establish their right to a legal abortion. As far as consent to contraception was concerned, although a woman had the right to decide on the number and the timing of children, the results of studies conducted by non-governmental organizations showed that only two methods of contraception were offered by Government institutions, namely, sterilization and intra-uterine devices. The Committee was even more concerned about complaints alleging that, in violation of Mexican laws, women had been sterilized or fitted with intra-uterine devices without their knowledge or written consent. According to one study, a quarter of the women who had been sterilized had claimed that they had not been informed of the irreversible nature of the procedure or of alternative methods of contraception. Thirty-nine per cent of those women had claimed that they had not even signed a consent form. While she did not know whether there was a gender bias in the medical

system, she would urge the Government to consider that issue very carefully in order to determine whether there was any way of educating health-care professionals about the right of all patients, particularly women, to informed consent with respect to sterilization.

32. Ms. JAVATE DE DIOS, noting the laudable efforts made by the Government in all fields to enhance the status of women, said that there was still considerable room for improvement in many areas. Thus, there was a need to further harmonize federal and state laws, especially in the area of violence against women; perhaps minimum standards could be imposed at the state level. A better and more coordinated system was crucial. In that regard, the training and education of law enforcement and judicial personnel were also crucial. A change was required in the attitudes of the very people entrusted with protecting women. A massive campaign to educate Mexican women about their rights would be a key element in a successful comprehensive programme on violence against women. It would be particularly helpful if the Convention, especially the general recommendation on violence against women, was widely circulated among organized women's groups. Since violence against women had long-term physical and mental health consequences, as well as intra- and inter-generational repercussions, an infrastructure of services must be established to provide victims with a place of refuge and assistance. The primary responsibility for responding to that socially based gender violence lay with the Government. The Committee was urgently concerned about violence experienced by particularly vulnerable groups, including indigenous women in areas of political conflict who had allegedly been raped and tortured, women in prisons and women suspected of belonging to the political opposition. While she appreciated the very thorough analysis of the situation in Chiapas and the programmes in place to accelerate the economic and social conditions there, she believed that assistance must also include women's access to the justice system. Accountability was of crucial importance in that regard. She wondered whether there were measures to penalize the police and military authorities who committed abuses.

33. She asked whether there was a policy to legalize prostitution and, if so, whether a public debate had been held on the potential impact of such a policy. If prostitution were decriminalized, would it mean the decriminalization of women in prostitution? Would that lead to the decriminalization of pimps and traffickers?

34. She was concerned about the number of reported cases of mandatory pregnancy tests as a prerequisite for employment, especially in the maquila industry. That practice constituted flagrant discrimination against women. The Government should investigate those reports and establish mechanisms for redress. While both the oral and written reports provided detailed information on migration within Mexico, there were no data whatsoever on the migration of Mexicans, especially women, abroad. How many women migrated to work abroad? Where did they go and was there any policy to protect such women?

35. Ms. SCHÖPP SCHILLING said that, given the Government's excellent understanding of affirmative action, it should now conduct a systematic review of all the areas in which the de facto inequality of women still existed, in order to determine the thrust of further affirmative action measures. The next

report should give a consolidated account of steps taken by the Government in that regard. The Government should also prevail upon the private sector to institute affirmative action programmes. She was very concerned about the discrimination against women in certain sectors of employment, which especially affected young pregnant women. The Government should tackle that issue head on by prosecuting the enterprises involved, providing legal assistance to the women and generally signalling that such discrimination in the private sector was unacceptable.

36. Ms. SAURI (Mexico), responding to the questions posed by members of the Committee, said that even in difficult times, the Government had made considerable efforts to maintain its expenditures on health, welfare and poverty alleviation at the same level. The budgetary allocation in 1998 for social needs was 57 per cent. As far as the implementation of conventions, particularly in the area of violence against women, was concerned, the great complexity of the federal system multiplied the number of stages and even obstacles that had to be dealt with in order to produce changes at the regional and local levels. While several states already had legislation in the administrative sphere for assisting and protecting victims, penal and civil law reforms were now required. In that regard, the Federal District's penal code had been amended to reflect the fact that rape could occur between a married couple or common law partners. In 1994, the Supreme Court had ruled that the undue or excessive exercise of a right was not unlawful. The reform undertaken by Congress had established clearly that forced intercourse between a married couple might be characterized as rape. Although adultery was still punishable, in most states it was not considered a crime. However, it was grounds for divorce. The code of the Federal District, which still considered adultery a crime, was an exception.

37. With respect to the evaluation of employment schemes, she totally agreed with the experts. The Government was developing a system to monitor the situation of women in Mexico, and was keen to implement its commitments under the Beijing Platform for Action with respect to the assessment of women's household work in order to elaborate a model for national accounts. A model for national household income and expenditures had been developed. The statistics unit was now evaluating the information and she hoped that the results would be available by April.

38. On the question of access to nurseries, she agreed that there should be equal entitlement for men and women; efforts were being made to consolidate the system, which currently catered to working mothers, widowers, and divorced men with custody.

39. The Government was endeavouring to strengthen the coordination of federal bodies under the umbrella of the National Programme for Women (PRONAM); all federal bodies had an obligation to fulfil the objectives assigned to them within that framework.

40. There had been no cuts in education and health care; the Government was also pursuing a policy of poverty reduction. Because of the high birth rate among teenage girls, a programme had been formulated to provide care to adolescent mothers, and pregnancy prevention strategies were being intensified.

The Ministry of Education had made various commitments to promote sex education in schools and in the army.

41. It could not be said that there had been radical changes during the reporting period; there had been significant social changes, but no radical shift in the concept of equality. With regard to information on the disabled, she said that the information provided was derived from a survey carried out in primary schools, and therefore related only to children between the ages of 6 and 12; moreover, it included even minor disabilities. The census to be carried out in the year 2000 would include questions about people with various disabilities, but until then, no further information was available.

42. Nearly 140,000 women had become registered land owners, compared with 30,000 in 1970. In matters of inheritance, there was no preference for males; if a person died intestate, under the Civil Code the estate was divided equally between male and female children. On the question of rape and sexual offences, there had been significant efforts by society and the Government to denounce and combat police abuses. Between 1989 and 1990 a number of rapes in Mexico City had been perpetrated by members of the forces of the Office of the Public Prosecutor, and the culprits had been sentenced. After that incident, special agencies had been established to deal with sex crimes; and broad social mobilization had led to significant changes in the area of domestic violence. The armed forces were maintaining peace and tranquillity and, even in conflict areas such as Chiapas, were strictly abiding by the laws.

43. With regard to marital property, the marriage contract could be concluded under the regime of separation of property or joint property; when the contract was broken, in the first case, each spouse kept his or her own property, and in the second, the property was divided equally between the spouses. Special attention was being paid to cases of women over the age of 50 who had not worked outside the home and had no possibility of entering the labour market after divorce.

44. Under the law on abortion, there were five cases in which abortion was not considered a crime: rape, danger to the mother's life, risk of serious deformity, forced artificial insemination (two states) and economic distress in the case of women with three or more children (one state). Abortion was not regarded as a method of family planning. The public health authorities were trying to tackle the problem and, as noted in the report, there had been a reduction in the rate of maternal mortality from natural and induced abortions.

45. On the question of consent to contraception, disciplinary measures were taken when the norms on family planning were violated. There had been a case in Puebla in which 23 women had claimed that they had not been given sufficient information before being fitted with intra-uterine devices. The medical personnel concerned had been penalized and dismissed. In general, the health bodies were able to combat any coercion of women with regard to their constitutional right to determine the number and spacing of their children. A national commission for medical arbitration had been in existence for one year, and most of the complaints of malpractice concerned gynaecological care. The National Human Rights Commission had investigated and resolved cases which had arisen in public bodies of the health sector.

46. She agreed that there was a need for a massive campaign to educate Mexican women about their rights. Members of the Committee had been provided with a booklet about women's rights in Mexico. Mexican legislation prohibited the dismissal of pregnant women. There had been complaints about mandatory pregnancy tests as a condition for employment. Under the labour legislation, all workers had to undergo medical examinations before being hired, but there was no mention of pregnancy tests. There was no discrimination against pregnant women either in the labour legislation or in practice. There was a need to increase women's knowledge of their rights, however.

47. The CHAIRPERSON said that it was clear that the Mexican Government had done much to promote the full exercise of the rights of all Mexican women under all the articles of the Convention. It was also clear that the women's movement had grown and its demands were being heeded by the Government. However, Mexico, as a multi-ethnic and multinational State, was confronted with very serious political, economic and social conflicts, in which women and children were those most affected. She drew attention to the severe problems of women in the rural sector, especially indigenous women and women working in maquiladoras, and to acts of violence against women, especially rape, by members of the police force, which had been reported by non-governmental organizations. The Government should devote increased attention to the protection of victims, effective administration of justice, and the punishment of perpetrators. The report gave cause for optimism about the future of Mexican women.

48. Ms. Sauri (Mexico) withdrew.

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

49. Ms. SADIK (Executive Director, United Nations Population Fund (UNFPA)) said that women's health, including sexual and reproductive health, was finally being acknowledged as a human right. The Convention could be a powerful tool in the struggle to achieve women's right to health, which would save millions of lives each year and remove one of the most formidable obstacles to gender equality and women's empowerment.

50. Women's health depended not only on appropriate health care but also on their status in the family, in employment and in political life. To guarantee women's health, countries must broadly address discrimination based on gender. They must reject social and cultural norms that valued women only as mothers, ensure the exercise of informed choice in marriage and family formation, and work to eliminate gender-based violence and harmful practices. The human rights of women included their right to have control over and decide freely and responsibly on matters relating to their sexual and reproductive health, free of coercion, discrimination and violence.

51. Health-related discrimination against girls and women occurred throughout their lifespan, and included prenatal sex selection, female infanticide, and neglect in favour of sons. Maternal mortality and morbidity due to preventable causes constituted a violation of women's right to life. Unequal power relations in sexual matters compounded women's vulnerability to sexually

transmitted diseases and repeated pregnancies. Older women experienced chronic disabilities due to earlier health-related discrimination and sexual violence.

52. Those concerns had gained increasing recognition as human rights issues in the past decade. The World Conference on Human Rights, the International Conference on Population and Development, and the Fourth World Conference on Women had each advanced the process. Since then, many developing countries had begun to broaden their approach to reproductive health care and address the needs of adolescents for reproductive health information and services. There had also been significant initiatives to strengthen national laws promoting the rights to reproductive and sexual health, gender equality and freedom from sexual violence. UNFPA was making a concerted effort to put all its programme activities into a human rights framework and was adopting that approach in training its staff, along with counterparts in Governments and non-governmental organizations, about reproductive rights and advocacy for the implementation of human rights instruments. It also planned to provide support to non-governmental organizations for advocacy activities concerning reproductive rights.

53. The progress that countries were making could be supported immensely through the human rights treaty monitoring process. The Convention, in particular, was an indispensable instrument for holding Governments legally accountable for neglecting or violating women's right to health. UNFPA strongly supported the proposal that the Committee should make a general recommendation on article 12 of the Convention concerning countries' obligations with regard to women's health. Such a step would be in line with the recommendations of the round table on human rights approaches to women's health, held in December 1996, which had called on the treaty bodies, United Nations agencies and non-governmental organizations to work together to integrate a gender-sensitive human rights perspective into their respective programmes. Since then, there had been ongoing discussions, and an informal inter-agency working group of gender and human rights focal points was meeting regularly. UNFPA and the Committee had discussed involving members of the Committee in the formulation, mid-term review and evaluation of UNFPA country programmes, as well as regional meetings and field staff training. UNFPA would be glad to assist any of the treaty bodies, at their request, with regard to the implementation of reproductive rights.

54. Ms. GONZALEZ expressed appreciation for the work of UNFPA in Latin America, in support of the efforts of Governments, women's associations and non-governmental organizations. In many countries, women were assuming their role in society and forming structured groups. As a result, Governments were recognizing the need for policies to support and strengthen the situation of women and ensure their right to sexual and reproductive health. UNFPA had also done much in the area of information and education on family planning and recognition of the human rights of women.

55. Ms. SHALEV said that the International Conference on Population and Development, under Ms. Sadik's leadership had been a turning point in the process of ensuring women's health. The presentation by Mexico reflected a change in State party reporting which owed much to assistance and support from

UNFPA; that change could also be seen in reports from non-governmental organizations.

56. Ms. CORTI commended UNFPA for increasing the visibility of the Committee in promoting women's rights and in particular their right to health. UNFPA had also provided invaluable assistance in the preparation of questions to States parties. She hoped that that cooperation would continue.

57. Ms. CARTWRIGHT expressed appreciation to UNFPA for its cooperation with the Committee in promoting women's right to full health care. The Committee was increasingly concerned about the impact of culture, tradition and religion on women's human rights, particularly their access to certain types of health care. She asked whether UNFPA had any programmes to deal with the increasing impact of fundamentalist forces on the ability to provide reproductive health services to women.

58. Ms. SADIK said that UNFPA and the Committee were working towards the same goals, and should continue their partnership. UNFPA was committed to advocacy; it was not enough to change laws, since behaviour changed only when there were changes in society. People who could make a difference in their societies needed to speak out; women and non-governmental organizations must speak out; leaders must speak out.

59. Tradition and culture were frequently used to discriminate against women and girls. The right of adolescent girls to have access to health care and services needed to be addressed in a pragmatic way. Decision-makers were often reluctant to take action. UNFPA was working actively to develop a pragmatic approach without attacking culture and religion. It was working with UNESCO to develop a curriculum on gender esteem and values at the primary and secondary school levels, and was organizing essay contests, seminars and conferences on adolescent health. Young people were desperate for information and access to services; and UNFPA was working with youth groups to provide such services. Although there was a great deal of progress on issues of women's and reproductive health in general, progress on adolescent health was very slow. Since teenage pregnancy was increasing, a great deal of attention needed to be paid to the problem, which evoked a stronger reaction from conservative groups than perhaps any other issue.

60. UNFPA was preparing a review on the situation five years after the International Conference on Population and Development, and one topic would be reproductive health and rights and the empowerment of women, including adolescent health. In that connection, round tables would be held on reproductive rights and gender issues, and on adolescent health.

The meeting rose at 6.20 p.m.

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Convention on the Elimination of All Forms of Discrimination against Women

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Eighteenth session

SUMMARY RECORD OF THE 377th MEETING

Held at Headquarters, New York,
on Monday, 2 February 1998, at 10.15 a.m.

Chairperson: Ms. KHAN

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Combined second and third periodic reports of Indonesia

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Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 10.35 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Combined second and third periodic reports of Indonesia (CEDAW/C/IDN/2-3; CEDAW/C/1998/I/CRP.1/Add.3)

1. At the invitation of the Chairperson, Mr. Wibisono and Mr. Wibadswo (Indonesia) took places at the Committee table.

2. Mr. WIBISONO (Indonesia), introducing the combined second and third periodic reports of Indonesia, on behalf of the Minister of State for the Role of Women, who had been unable to travel to New York because of the financial crisis with which the country was faced, said that Indonesian women had attained equality before the law and had the same status, rights, obligations and opportunities as men. Owing to the multi-ethnic and multi-religious nature of Indonesian society, however, discrimination against women and violations of their human rights still persisted.

3. Through the Office of the Minister of State for the Role of Women and other means, the Government was striving to achieve de facto equality for women at all levels of society. The report now before the Committee had been widely disseminated and programmes to eradicate discrimination in all its forms were being formulated under the Seventh Five-Year Development Plan (1998-2003) and the Second Long-Term National Development Plan (1993-2018). The Government had also taken special measures, such as literacy and other training programmes, to accelerate the achievement of equality for women. In addition, it had enacted legislation for the protection of women's rights and reproductive functions.

4. With the help of community groups and non-governmental organizations, the Government, through the Office of the Minister of State for the Role of Women, was monitoring and promoting the implementation of the Convention. A planning and foreign affairs unit had been created in 1994 to further improve coordination with government agencies and social groups. At the regional, provincial, municipal, district and village levels, officials were instructed to coordinate their activities for enhancing the role of women and to serve as local extensions of the Office of the Minister of State. Local officials were also required to provide the infrastructure, facilities, human resources and budget needed to support the coordination mechanisms.

5. The text of the Convention and the outcome of the Fourth World Conference on Women had been translated into Indonesian and distributed to every government agency and non-governmental organization, particularly women's organizations, at both the central and regional levels. National activities to follow up the outcome of the Beijing Conference were consistent with the national Guidelines of State Policy for the enhancement of the role of women, which placed emphasis on poverty, education, health and empowerment. As a consequence of the 350 years of Indonesia's colonization, women lagged far behind men in most aspects of education, health and social welfare. Based on the country's past

experience, measures had therefore been taken to bridge the gap between men and women in national development, including in such areas as national defence.

6. Trafficking in and the exploitation of women were not regulated by special legislation and State action was based on existing laws. The Ministry of Social Affairs provided rehabilitation services for women who were victims of such exploitation. In order to promote respect for human rights in general, Indonesia had established a National Commission on Human Rights, which operated as an independent agency. Nevertheless, many violations of human rights, specifically women's rights, still occurred, and increased efforts would be made to promote and protect human rights at all levels.

7. While no legislative provisions barred women from participating in public life, because of traditional norms, few women held positions of responsibility in public life. A number of training programmes were being organized and specific measures taken in various areas, including the revision of legislative provisions that perpetuated discrimination against women, ratification of international human rights instruments, imposition of heavier penalties on persons found guilty of human rights violations, increased advocacy activities and development of the concept of harmonious gender partnership between men and women.

8. Indonesia supported the Committee's efforts to monitor implementation of the Convention and approved of the amendment to article 20 of the Convention to allow the Committee to hold two three-week sessions each year.

9. On the subject of Indonesian migrant workers, most of whom were women, that phenomenon grew out of the Government's inability to accommodate the large number of new arrivals onto the internal labour market each year. Migrant workers, however, faced a number of obstacles overseas, including ill-treatment by their employers, unfamiliarity with local social and cultural norms, unscrupulous middlemen, lack of protection from sending and receiving States and the migrants' own lack of skills. In response to that situation, the Government had taken a number of initiatives, including a review of the system of manpower placement abroad, computerization of the system to monitor the mobility of women workers overseas, establishment of an overseas jobs agency, particularly for work in the formal sector, increased training and preparation for women migrant workers and greater protection for workers abroad through collaboration with the relevant host country agencies.

10. On the subject of Indonesia's reservation to article 29 (1) of the Convention, by tradition and culture, Indonesia sought to settle disputes through dialogue and consultation among the parties concerned. That reservation, however, in no way affected the Government's serious commitment to implementing the other provisions of the Convention.

11. Mr. WIBADSWO (Indonesia), reporting on the implementation of the Convention on an article-by-article basis, said, in relation to article 2, that the principle of equality between men and women was enshrined in the Pancasila or State philosophy, the 1945 Constitution and the Guidelines of State Policy. Based on those texts, the Government had ratified a number of important international instruments, including the Convention.

12. Among the obstacles to the achievement of equality for women were the perception by women of their social and economic roles in society and the persistence of social and cultural norms and values that were detrimental to the advancement of women. Other factors, however, such as increased levels of education, the introduction of birth control and family planning methods and the shift from agriculture to industry, did promote increased participation of women in development.

13. In relation to article 3, the main tasks of the national focal point for the advancement of women, the Office of the Minister of State for the Role of Women, were to formulate programmes and policies for enhancing the role of women, to coordinate the activities of sectoral agencies, to monitor and evaluate programme implementation and to submit reports. It carried out those functions to the best of its ability, despite the budget and manpower limitations under which it operated.

14. With reference to article 4, special temporary measures to accelerate equality included literacy programmes, training programmes in a variety of fields and special measures relating to maternity. Other schemes included the provision of small-scale credit to poor rural women without requiring any collateral or security and programmes to increase women's role in small-scale industry.

15. Three types of programmes were being carried out to increase employment opportunities for women: general programmes implemented by sectoral agencies, including programmes to support the development of self-employment; sectoral programmes designed specifically for women; and an integrated sectoral women-in-development programme being coordinated by the Office of the Minister of State for the Role of Women. Special measures to combat violence against women included the integration of training on the legal significance of the Convention into the postgraduate women's studies programme at the University of Indonesia. Moreover, non-governmental organizations provided information and support to victims of violence and operated shelters for battered women and their children. With respect to statistics on women, the Central Bureau of Statistics regularly published disaggregated data on women's labour-force, educational, economic, political and socio-cultural participation.

16. With respect to article 5, the status and roles of men and women in marriage were clearly separated in Indonesian society: the man was the breadwinner and head of the family, while the woman was responsible for maintaining the household. Social attitudes and prejudices in the family, the education system, the workplace, society and the mass media and political life continued to hinder women's full participation. The Government was working to dismantle prejudices and cultural practices that were an obstacle to equality, inter alia by enacting legislation such as the Marriage Act and taking steps to consolidate the implementing regulations of the Act in coordination with relevant ministries and community organizations.

17. With respect to article 6, the Indonesian Government's intervention scheme concerning traffic in women and exploitation of women was based not on any specific act or regulation, but on a number of relevant laws, acts and provisions. The key measures it had undertaken consisted of prevention, social

rehabilitation, resocialization and development programmes. In addition, it had succeeded in compiling statistical data on prostitution, particularly in provinces which had already been identified as high-risk areas for human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS).

18. With regard to article 7, Indonesian law did not prevent women from standing as candidates for legislative, judicial or executive office. All Indonesian women who were either married or at least 17 years old had the right to vote. Nonetheless, few women participated in political and public life, owing to the influence of traditional social norms. All political parties should try to encourage more women to stand as candidates and should provide them with extra support and assistance. National women's organizations, for their part, should establish subcommittees to act as pressure groups to ensure women's recruitment at all levels.

19. With respect to article 8, Indonesian law did not prohibit or restrict women's participation in the work of international organizations or their eligibility to represent their country in international forums. Indonesian women participated in a number of United Nations bodies, and an Indonesian woman was currently President of the International Council of Women. In addition, women had been included in Indonesia's delegations to major international conferences such as the 1993 World Conference on Human Rights, the 1994 International Conference on Population and Development and the 1995 World Conference on Women. Nonetheless, his Government recognized the need to give more women opportunities to participate in the work of international organizations.

20. Regarding article 9, nationality and citizenship were regulated by several laws, including those covering the position of Indonesian women who married foreigners, individuals born in Indonesia and foreign children adopted by Indonesians.

21. With regard to article 10 of the Convention, the report focused on primary education, which had been compulsory for some time, the education gap between the sexes and government action to develop education. The proportion of boys and girls enrolled in primary schools was currently equal, and the gap between male and female enrolment in all other sectors of education was closing fast.

22. In relation to article 11, the Government's Five-Year Development Plan clearly spelled out the objectives for the advancement of women in the field of employment. Under the law, men and women enjoyed equal rights in connection with labour contracts, for example equal remuneration and the opportunity to initiate legal proceedings. Married women could open bank accounts without the consent of their husbands. Although Indonesian women had the right to choose their profession, few had ventured into traditionally male areas of employment. The various provisions regulating social security and retirement pensions for female workers were continually revised and updated.

23. Regarding article 12, health care in Indonesia was provided by both the public sector and private institutions, under government regulation. The life expectancy of women was greater than that of men, and there had been a gradual decline in infant mortality as a result of the Government's health programmes.

Notable success had been achieved in the field of family planning. Abortion was not explicitly mentioned in Indonesian legislation, although the law did provide for such a procedure where the life of the mother or baby was in danger. In all other circumstances abortion was banned, and the Government was empowered to take draconian measures against those found guilty of practising it. The Government had also actively promoted a campaign to combat AIDS.

24. In the sphere of social, economic and cultural rights and benefits covered by article 13 of the Convention, Indonesia lacked a comprehensive system of family benefits. Allowances for married women employed in public service whose husbands were also civil servants were paid through the husband for families with up to three children. Women also had the right to seek credit, loans and mortgages, and were fully entitled to participate in cultural and recreational life.

25. The Government's programmes designed to support the advancement of women in rural areas in accordance with article 14 of the Convention were centred around the efforts of the Family Welfare Movement. Other programmes included the Integrated Programme for Enhancing the Role of Women towards Healthy and Prosperous Families, the Programme to Increase the Role of Women in Small Industries, and the Programme for Backward Villages. Women's groups were regarded as key elements in implementing measures to help rural women. Women continued to face problems in gaining access to fertilizers, seeds, credit and information because of the attitude of local officials and the gender bias inherent in agricultural programmes. Male emigration from rural areas had increased the share of agricultural responsibilities borne by de facto female heads of household, but their expanded role had not been adequately recognized by the authorities. The sex-based division of labour within households had resulted in a heavy burden and long working hours for women farmers. While women participated actively in farm work and domestic chores, men's share of housework and child care remained small.

26. With regard to article 15, male and female equality before the law was founded on the concept of Pancasila (the State philosophy) and the 1945 Constitution. The Broad Guidelines of State Policy were issued every five years as the basis for policy formulation and programme planning. Since 1978, equal rights and opportunities for women had been specifically emphasized. The report detailed some of the actions taken by the Government with respect to equality before the law.

27. As far as article 16 of the Convention was concerned, the enactment and amendment of the Act on Marriage had moulded the plurality and diversity of ethics and religion in Indonesia into a set of coherent and obligatory principles applying to all Indonesian citizens regardless of religion or ethnic background. The report contained specific information about a woman's right to keep her maiden name after marriage, the raising of children, the decision to have children, divorce, and issues relating to property and alimony.

28. The Indonesian Government recognized that, despite the existence of legal and constitutional prerequisites for ensuring equality between men and women, cultural norms and practices still hindered women's development. Change was therefore a slow and gradual process. Nevertheless, Indonesia remained

committed to enhancing the status and role of women as a determining factor in achieving a just and prosperous nation.

29. Turning to the questions contained in the report of the pre-session working group (CEDAW/C/1998/I/CRP.1/Add.3), he said that the periodic report had been prepared by a working group composed of representatives of various government agencies, experts, non-governmental organizations (NGOs) and women's organizations.

30. With reference to question 4, the right not to be discriminated against on the basis of sex was guaranteed by the statement in the Constitution that all citizens had the same status under the law, as well as the right to work and to enjoy a reasonable standard of living.

31. In response to question 5, he said that, long before the Fourth World Conference on Women, the Government had sent public officials to study gender issues abroad, had provided gender analysis training at the central and regional levels and had worked to develop gender indicators.

32. With respect to question 6, the country's economic development had given women increased opportunities for employment and loans but the current economic crisis had had a negative impact on both sexes, particularly in the informal sector. Programmes had been developed at the central and regional levels to give women equal access to employment and to create jobs.

33. Regarding question 7 on the legal force of the Guidelines of State Policy, he said that as the product of the People's Consultative Assembly, the country's highest political institution, the Policy represented the people's political and social aspirations. The Guidelines took into account the provisions of the Convention.

34. The five national programmes which made up the national policy for the advancement of women had increased the number of women in the labour force, improved the quality of their health and education, and led to greater participation in child care and household tasks by young married men as well as to the establishment of a management team for the advancement of women at the provincial and district levels. Women's organizations, NGOs and professional societies participated in all stages of those programmes through meetings, workshops and seminars. The obstacles to be overcome included traditional cultural values and a lack of knowledge and expertise with regard to the mainstreaming of a gender perspective into national development programmes. Among the quantifiable goals and deadlines set by the Government were reducing the maternal mortality rate to 80 per 100,000 live births, expanding the Integrated Programme for Enhancing the Role of Women towards Healthy and Prosperous Families (P2W-KSS) at the rate of two villages per subdistrict per year, and lowering the illiteracy rate to 12.01 per cent in rural and 5.04 per cent in urban areas by 1999.

35. In reply to question 9, he said that the Office of the Minister of State for the Role of Women had a limited budget because of its coordinating function; the programme budget for gender and development was considerably larger. Moreover, the National Development Planning Bureau emphasized the need to

alleviate poverty, from which women were the principal sufferers. In order to assist the Office in its responsibility for policy formulation, coordination, consultation, advocacy, monitoring and evaluation with regard to women in development, management teams for the advancement of women had been established in the various provinces, districts and subdistricts. Implementation of the Beijing Platform for Action was discussed at regular meetings between Office officials and the provincial teams and at seminars and workshops organized for the benefit of women's and professional organizations, NGOs, the mass media, experts and academics.

36. The women's studies centres mentioned in question 10 were coordinated at the administrative level by the Ministry of Education and Culture and at the substantive level by the Office of the Minister of State for the Role of Women, and studies carried out by those centres were used in the formulation of provincial policies and programmes.

37. With respect to question 11, the Government's affirmative action measures were implemented through two approaches: women in development, and gender and development. Those measures were binding and were implemented by the Office of the Minister of State for the Role of Women, in cooperation with the National Development Planning Bureau, through training programmes held at the national and district levels for officials of the various ministries. In the long term, the Government planned to take several measures to increase the role of women in political decision-making and their numbers in high-level posts.

The meeting rose at 1 p.m.

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Convention on the Elimination of All Forms of Discrimination against Women

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Eighteenth session

SUMMARY RECORD OF THE 378th MEETING

Held at Headquarters, New York,
on Monday, 2 February 1998, at 3 p.m.

Chairperson: Ms. KHAN

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Combined second and third periodic reports of Indonesia (continued)

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The meeting was called to order at 3 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Combined second and third periodic reports of Indonesia (CEDAW/C/IND/2-3, CEDAW/C/1998/I/CRP.1/Add.3) (continued)

1. At the invitation of the Chairperson, Mr. Wibadswo and Ms. Wibisana (Indonesia) took places at the Committee table.

2. Ms. WIBISANA (Indonesia), continuing the replies to the Committee's questions in the report of the pre-session working group (CEDAW/C/1998/I/CRP.1/Add.3), said that, with regard to question 12 under article 4, her Government had consistently encouraged the private sector to allow women employees to enjoy the same maternity provisions as women in the public sector. Many large companies in the private sector had begun to apply such provisions. With regard to question 13, Government regulation No. 4/1989 stipulated that single women over the age of 18 years required permission from their parents to engage in night work and that married women needed the permission of their husbands. The intent was to protect women.

3. On question 14 in relation to article 5, she said that there had been considerable change with regard to the impact of socio-cultural values and traditions on women, although that change was very slow. Socio-cultural values as well as misinterpretation of religious teachings still reduced the impact of laws. However the Government, in particular the State Ministry for the Role of Women, the Ministry of Religious Affairs, the Ministry of Education and Culture, and the Ministry of Information, had joined in advocating equality between men and women, in accordance with the Convention. Measures which had been taken to combat violations of the law were: intensification of the national discipline movement launched by the President of the Republic and enhancement of the legal apparatus; training for lawyers on the rights and status of women; administrative sanctions on civil servants who violated the principles contained in the Convention; the review and amendment of laws and regulations which were not in line with the Convention; and the organization of seminars in coordination with the law faculties of various universities.

4. On question 15, she pointed out that tables had been provided showing the number of women occupying senior positions in the press and journalism. The impact on people's outlook was not significant because the number of women occupying senior positions in the media was still limited. With regard to question 16, the legal force of the recommendation whereby men were encouraged to marry at 22 and women at 19 was embodied in instruction No. 28/1982 of the Ministry of Home Affairs.

5. In reply to question 17, she said that a few measures had been taken to reform school textbooks and other materials to remove stereotypes, namely:

formation of a cross-sectoral working group, organization of a training workshop to discuss the incorporation of gender concepts into educational curricula, and intensification of joint efforts between the State Ministry for the Role of Women and the Ministry of Education to remove stereotypes from textbooks, incorporate the concepts of gender mainstreaming and harmonious partnership, and provide guidance to teachers. As a result of intensive advocacy and training for teachers and lecturers, tasks in schools were no longer divided according to gender. Some of the obstacles encountered were the high cost of changing textbooks for millions of students and the shortage of expertise in the gender dimension in education.

6. With regard to question 18, women were being afforded many opportunities, including access to business management training, income generating activities and cooperative groups, and credit. Polyclinics were being provided for mothers and children in all villages; there were nurseries and child-care centres in the workplace and in villages; and the principle of equal pay between men and women was being enforced. On question 19, she said that 22 December was the date on which, in 1928, the first congress had been convened to unite all Indonesian women's organizations into one federation, known as the Indonesian Women's Congress. The date had therefore been declared Indonesian Women's Day; and every year the State Ministry for the Role of Women organized various activities, such as seminars, exhibitions and talk shows, at the central and regional levels.

7. With regard to question 20, statistics showed that the gap between girls and boys in school performance had been reduced drastically, particularly at the primary level, because Indonesia had introduced six years of compulsory education, in 1984, and had increased it to nine years in 1994. The gap at the high school and higher education levels had also been gradually reduced. Although there had been some improvement, the gap between boys and girls in certain scientific fields remained. Referring to question 21, she explained that, although there was no reference in the report to measures taken to prevent and combat violence against women, there was information in the supplement to the report. The measures taken included: increased publicity about the Convention so as to reach all levels of society; a recommendation that rapists and other perpetrators of violence against women and girls should be given the maximum sentence; and promotion of effective legal aid for women and children through consultations between the State Ministry for the Role of Women and the Ministry of Justice.

8. On question 22, she said that violence often occurred among women who were ignorant of their rights and obligations, as was common among women with little education who were unable to seek legal assistance to solve their problems.

9. In reply to question 23, she pointed out that "the changing concept of parenting" was reflected in the 1993 guidelines of State policy and Act No. 10/1992 on population and family welfare management, which stipulated that the education of children was a joint responsibility of parents. The policy concerning parental leave for fathers was not formally regulated, but if a child was sick one parent could take annual leave or obtain permission from the employer to be absent from work for a few days.

10. With regard to question 24 under article 6, traffic in women and young girls occurred in Indonesia, as it did elsewhere. Some sporadic studies had been conducted by non-governmental organizations, other community organizations and universities. Indonesia was affected by sex tourism, and some preventive measures had been taken by the Ministry of Social Affairs and the Ministry of Tourism, Post and Telecommunications. Referring to question 25, she said that the spread of prostitution in Jakarta, Central Java, East Java and South Sumatra was associated with the rapid growth of industry and manufacturing in those areas, which attracted poor women in the vicinity to prostitution. Measures were being taken to reintegrate prostitutes into society, for example, through rehabilitation programmes. The services provided to prostitutes to prevent the transmission of acquired immunodeficiency syndrome (AIDS) and other sexually transmitted diseases consisted of regular medical check-ups, including blood tests, and advocacy of safe sex. Many Government bodies and non-governmental organizations were actively involved in promoting safe sex and in the early detection of AIDS; and the Ministry of Health organized the screening of high-risk groups.

11. With regard to question 26 under article 7, measures taken to promote the participation of women in political decision-making included steps to increase the participation of women civil servants in senior administrative staff training; training for leaders in non-governmental organizations; and measures to increase the participation of women in cadre training in political parties.

12. Referring to question 27, she said that in the 1970s, õrganizations of wives of civil servants and military personnel had helped to increase the skills and knowledge of their members. By the mid-1980s, many such women had begun to work outside the home, and those organizations had become less active. On question 28, all political parties had women's sections.

13. With reference to question 29 under article 8, Indonesia currently had seven women ambassadors: those for New Zealand, Norway, Poland, Romania, Slovakia and Switzerland (Geneva and Bern). There were five women members of international organizations dealing with women's issues, four in United Nations bodies, and one in the International Council of Women. There were also a number of women working for various international organizations.

14. With regard to question 30 concerning article 9, there was no written regulation to the effect that a woman must have her husband's permission to apply for a passport. Permission was sought as a moral acknowledgement of the husband's existence. The practice was gradually diminishing, however. On question 31 under article 10, although education was not free, there were scholarships that were provided by the Government and private institutions, assistance from the national movement of foster parents, and free education for children of very poor families. With reference to question 32, the participation rate for women in adult literacy programmes was more than 57 per cent of women over 50 years old, 33 per cent of women between 30 and 49 years of age, and 10 per cent of girls and women aged between 10 and 29.

15. On question 33, the Government's policies and programmes to encourage more girls to study non-traditional subjects included advocacy campaigns calling on parents to encourage their daughters to take an interest in science and

technology and urging young girls to become more interested in those subjects; an annual science contest for members of science clubs in high schools and universities, in which an increasing number of girls were participating; and the organization by the State Ministry for the Role of Women of workshops, training and seminars to promote the study of science and technology. With regard to question 34 under article 11, she said that Government measures to protect women workers from abuse and exploitation by employers included: involvement of the State Ministry for the Role of Women and gender experts in the preparation of regulations for the implementation Act No. 25/1997 on the labour force; advocacy urging Indonesia's trade union to be more active in protecting its workers, especially women workers; advocacy encouraging members of the Association of Indonesian Entrepreneurs to be more aware of women's human rights; and raising the awareness of women workers with regard to their status and rights. Those activities had been initiated by the State Ministry for the Role of Women, in coordination with the Ministry of Manpower, the Ministry of Justice and the Indonesian Workers' Union.

16. On question 35, the State Ministry for the Role of Women was greatly concerned about the prevailing family allowance system in State companies, and had submitted to the Ministry of Manpower a revised proposal to be included in the forthcoming Government regulation to implement Act No. 25/1997 on the labour force. The Government was reviewing 23 conventions with a view to their ratification, including Convention No. 111 of the International Labour Organization. The ratification of those conventions would be based on Indonesia's priorities. Referring to question 36, she said that measures to protect working women could have a negative effect on the hiring of women, particularly in view of the socio-cultural environment in Indonesia. However, Government measures were based on concern for the security of women who worked at night. On question 37, women who believed that their rights had been violated could have recourse to trade unions and to a legal consultation agency. Trade unions were not yet dealing with such matters on the basis of gender equality, but efforts were being made to increase their awareness in that respect. Women could have recourse to justice; and the 1945 Constitution guaranteed equality between men and women. With regard to question 38, the measures taken by the Government included the establishment of day-care clinics and family planning services in a number of Government offices, in conjunction with the Ministry of Health, the Ministry of Social Affairs and other ministries.

17. Referring to question 39 under article 12, she said that in order to lower maternal and infant mortality rates, the Government had provided 54,000 professional midwives at the village level, who were supported by community-based polyclinics, and had undertaken a national campaign to reduce maternal mortality. It had established mother-friendly areas and hospitals and made efforts to increase the awareness of community leaders about the seriousness of maternal mortality. For three consecutive years, national immunization week had been organized and had been effective in reaching the entire population on all the islands. Integrated health posts and community health centres had been established in each sub-district; and there were about 7,000 health centres and some 244,000 integrated health posts at the community level.

18. Referring to question 40, she said that the Indonesian authorities were aware of the role that traditional midwives could play in lowering infant and maternal mortality. Midwives were provided UNICEF kits and were given training in hygienic delivery, including the maintenance of instruments and the procedures for cleaning their hands and the delivery room. At the village level, professional midwives and traditional birth attendants were given intensive instruction on working together. Since traditional midwives were regarded as partners of medical doctors, they were always involved in programmes dealing with maternal and infant mortality. Replying to question 41, she said that men were also targeted by family planning programmes, which provided information on vasectomy and emphasized the use of condoms. A woman was required to obtain her husband's consent before making use of family planning services but it did not have to be in writing.

19. Mr. WIBADSWO (Indonesia), referring to question 42, in relation to article 13, said that there were no available data on the number of women benefiting from the Programme to Increase the Role of Women in Small Industries (P2W-IK) which, in 1993, had been converted to the Programme to Train Women Entrepreneurs. The Programme's main beneficiaries were women in small-scale businesses, women workers' cooperatives, women in farming and fishing, and female entrepreneurs and managers of joint small business groups. No precise data were available on the success rate of small and medium-sized companies run by women; however, the State Minister for the Role of Women and the Indonesian Women's Business Association (IWAPI) were collecting gender-disaggregated data for publication. Nor were data available on the number of women employed as company heads. The membership of IWAPI currently included 986 company heads in and around Jakarta and 12,669 throughout Indonesia.

20. Referring to question 43, he said that it was not feasible at the moment to increase family allowances because of budgetary constraints and current policy priorities. The Government assigned employees to field labour and other productive activities in order to increase their income and help ensure that their children would be able to complete school. With regard to question 44, everyone, not only women, must obtain a guarantee in order to apply for a bank loan. In some regions, however, a woman must present a guarantee from her husband, in keeping with his traditional role as head of the family. Replying to questions under article 14, he said that poor rural women could obtain credit at low interest rates through the Learning Groups scheme sponsored by the Ministry of Education and Culture and the National Family Planning Coordinating Bureau; through joint business groups, a regional government organization; and through facilities that provided credit for small-scale industries, small-scale businesses, income-generating activities and family welfare. A certificate of completion of business training, conferred by the Ministry of Industry and Trade, could serve as a guarantee for obtaining low-interest loans from a Government bank called the Indonesian People's Bank.

21. Addressing question 46, he said that the State was revising Act No. 05/1962 in order to ensure that women had an equal right to land ownership. The wives of village leaders participated in decision-making as representatives in Village Community Resilience Bodies, which were essentially rural parliaments. In that capacity, they also had access to information. Since 1984, rural women had received information through special broadcasts. Additionally, information

field officers at the village level received training on women in development and were expected to encourage rural women to participate actively in the national development process. Improved roads and transportation, the installation of electricity and clean water facilities near villages, and the introduction of applied technology, such as simple grinders, were all designed to relieve rural women of the burden of daily chores.

22. Replying to question 47 in relation to article 15, he said that, in 1985, the State Minister for the Role of Women had initiated efforts to amend the Marriage Law which were still under discussion. Amendments to the Labour Force Act had been ratified by Parliament; and the new Labour Force Act would enter into force in September 1998. Referring to the questions under article 16, he said, in relation to question 48, that, with a view to improving the situation of women in the family in particular and in public in general, the President of the Republic of Indonesia had launched the National Movement on the Harmonious Equal Partnership between Men and Women through a Gender Approach on the occasion of the sixty-seventh anniversary of Women's Day in Indonesia (22 December 1995). The State Minister for the Role of Women had determined that the Harmonious Equal Partnership should form the basis for the promotion of the role of women in national development. The Harmonious Equal Partnership was defined as a dynamic framework in which men and women had equal rights, obligations, positions, roles and opportunities, based on mutual respect and assistance and the desire to attain fulfilment. Sectoral development must be planned with a view to promoting the role of women. The Equal Partnership between Men and Women was an intermediate objective in the long-term effort to achieve a just and prosperous nation.

23. Referring to question 49, he said that the number of divorces had declined significantly from 171,545 in 1983 to 160,271 in 1984 and 83,580 in 1994. In the event of divorce, the husband paid alimony to support his former wife and children. The State encouraged the husband to pay alimony but could not take action in the event of his refusal to do so; that step must be taken by the former wife. The two spouses must appear before the judge in divorce proceedings. Special officials from the Department of Religious Affairs attempted to bring about a reconciliation between the spouses before the proceedings began. Replying to question 50, he said that the existence of women magistrates did not necessarily result in greater fairness and equality with respect to women because not all women magistrates were automatically 'gender sensitive'. With respect to question 51, monogamy was regulated under the Marriage Law No. 1/1974. Efforts to abolish polygamy included the establishment of strict regulations governing it and the denial of family allowances to the second wife. Government civil servants and members of the armed forces who practised polygamy were subject to heavy sanctions, such as the loss of rank. As a result, polygamy was rare and would gradually be eliminated.

24. In reply to question 52, he said that, in accordance with Act. No. 1/1974, a marriage must be based on mutual religion and beliefs; otherwise, it could be deemed illegal and annulled. With regard to question 53, the waiting period before a divorced woman could remarry allowed time to ensure that she was not pregnant, thereby avoiding the birth of an illegitimate child. The waiting period was prescribed by Islamic law and by Act. No. 1/1974.

25. In response to question 54, he said that the inheritance laws were governed by the Civil Code, Islamic law and customary law. The inheritance laws were the same for all communities. Although a Muslim could choose between Islamic law and customary law, the Government had just introduced a National Inheritance Law, based on jurisprudence, that applied to all citizens.

26. Ms. ACAR enquired about efforts to amend Indonesian legislation and modify social and cultural attitudes in the light of the provisions of the Convention. There was a certain incongruity between the continued existence of discriminatory legislation - for example, designating the man as the head of the family or establishing different minimum ages of marriage for men and women - and Indonesia's ratification of the Convention with virtually no reservations. There was also a contradiction between the constitutional guarantees of equality and the enforcement of Islamic law. Could Muslim women choose to be judged under civil law rather than Islamic law, or was that option given only to men? The Harmonious Equal Partnership between Men and Women seemed to reinforce rather than eliminate cultural stereotypes. She wondered whether it was consistent with article 5 of the Convention. Lastly, she wished to know whether the staff of the Government-supported women's studies centres was formally trained in women's studies and familiar with the provisions of the Convention and the concept of women's rights as human rights, as promoted by the international women's movement.

27. Ms. JAVATE de DIOS expressed understanding for the constraints that Indonesia's current economic difficulties had imposed on the delegation. The Committee was extremely concerned that the economic crisis would have an adverse impact on the lives of Indonesian women. She welcomed the active role of the State Minister for the Role of Women in promoting women's rights and women's role in development. She also welcomed the use of the Convention by the courts in settling discrimination cases, the active participation of non-governmental organizations and women's movements in providing information to the Committee, the integration of women's concerns into Indonesia's national development plans, and the establishment of a national human rights commission and expressed appreciation for the information provided on migrant women workers.

28. She wondered, however, whether the courts had to interpret the provisions of the Convention because Indonesian legislation lacked any clear definition of discrimination. Furthermore, the emphasis on women as mothers and wives might undermine their enjoyment of equal rights with men. For example, the Labour Force Act, even as amended, denied women certain entitlements, such as workers' benefits; and the provision that a woman could do night work only with her husband's permission was paternalistic. The Marriage Law, in sanctioning polygamy and unregistered marriages - which left women with no support in the event of separation - was also discriminatory. Other impediments included the requirement concerning bank loan guarantees and the restriction on land ownership by women. Such discriminatory legislation institutionalized and reinforced women's domestic role and aggravated their double burden. In that connection, she enquired about the effectiveness of the social support services referred to under question 38 and about the socialization of men with regard to the assumption of household and family responsibilities.

29. For lack of information in either the report or the oral presentations, the Committee could not analyse the patterns of violence against women in Indonesia and make recommendations on that basic obstacle to women's enjoyment of their rights in general. Outside sources had reported violence against women workers in two regions and harassment, detention and torture of women in East Timor. The extent and causes of violence against women in any context should be clarified, as should the Government's plans to obtain more systematic documentation of the problem. The specific issue of violence against women in armed conflict was meant to be understood in the light of the particular vulnerability of women in times of armed conflict and not, as the delegation had dealt with it, in terms of their service in the military. Further information was needed on that point, as well as on the availability of services for victims of domestic violence in the absence of any law against sexual harassment and battering, and on the Government's efforts to make judges, the police and other law enforcement officials more gender-sensitive.

30. The delegation had provided a good picture of the situation of women migrant workers abroad, but she wondered how the Government investigated or negotiated for better conditions in order to protect them from abuse. It was not clear if prostitution, which according to the report was pervasive, was officially tolerated and whether any preventive efforts were being made, particularly along the lines of modifying the behaviour of men. More information was needed about prostitution among migrants and about sex tourism, and how the Government was addressing the entire issue.

31. Ms. GONZALEZ, noting that there were still contradictions between the Indonesian Labour Act and the Convention, asked for clarification of the provision stating that women were to have equal rights in their capacity as women and as human resources for development, since that concept would apply equally to men. Similarly, Regulation No. 45/1990 implementing the Marriage Act (report, p. 26) should be reworded to apply equally to male spouses of civil servants. The provision in the Nationality and Citizenship Act requiring the consent of the husband for a woman to obtain a passport (report, p. 37) was demeaning and should also be amended. Furthermore, it was not clear whether men and women received the same social security benefits. National family planning programmes, which currently were aimed only at women, should focus even more on men to achieve change. The wording of article 505 of the Penal Code (report, p. 32) seemed to imply that if prostitution was not the sole means of livelihood, it would not be penalized, and she wondered if that was in fact the case. Among the further measures to encourage women to join the political process (report, p. 34), the Government should consider planning broad campaigns aimed at adolescent women to spur greater interest in political participation.

32. Ms. SHALEV observed that in two health areas - maternal mortality and anaemia - little progress seemed to have been made since the initial report of Indonesia. She was also concerned by outside reports of incidents indicating degrees of coercion when it came to the reproductive health of women: apparently the military and the police had been involved in forcing women to accept the use of intra-uterine devices. The Government claimed success in its campaigns to promote contraception, but she wondered what methods of contraception were offered to women and whether they had any choice in the matter. Requiring the husband's consent for irreversible sterilization raised

another free-choice issue; that was a private matter for the woman to decide, and the Government's position on spousal authority was in violation of the Convention. Similarly, the requirement of the consent of the husband or of family members for legal abortions to save the mother's life was a clear violation of a woman's right to reproductive health and her right to life. Furthermore, there had been reports of sexual coercion and rape by the military and the police, especially in East Timor.

33. Regarding HIV/AIDS, only limited information on its incidence in the country had been provided, and there were no sex-disaggregated data that would indicate the trend among women. The report also made no mention of HIV/AIDS education programmes for adolescents. It seemed to attribute AIDS to prostitution, yet it would be an unfair oversimplification in any society to place the responsibility on the prostitutes while absolving their male clients. The sporadic "city-cleansing projects" which had been reported and during which women had been forcibly subjected to medical examinations, would be in clear violation of the freedom with regard to reproductive health. The Government should take a serious look at the patterns and rectify such violations.

34. Ms. Yung Chung KIM said that it was to the Government's credit that it had established a State Ministry for Rural Women as early as the late 1970s, had set up 79 women's studies centres in the universities and was providing training in gender analysis for policy makers and planners. The needed changes, however, had not been as effective and rapid as they should have been. The main obstacle, recognized by the Government, were the traditional norms and culture, reinforced by the patriarchal values of the religion, which defined women as wives and mothers and men as breadwinners. Such a separation of roles was also common in northeastern Asia, where it harked back to Confucianism, but the premise was still so deeply rooted in Indonesia that all attitudes towards women seemed to stem from it. She noted that there had been no revision of textbooks and teaching materials in order not to perpetuate the stereotypes. With regard to education generally, there was a great gender discrepancy in access to education: as indicated in table 15, more than twice as many women as men had no schooling. The illiteracy rates were also 3 to 6 times higher among women, and more than twice the number of men had the opportunity for higher education. Women also were more tradition-bound in choosing their fields of study.

35. The numbers of women participating in political activities and holding leadership positions in political parties, trade unions or the media were limited. The same trends held true in employment: women generally held low-paying, unskilled jobs because of the stereotypical view that their work was only meant to add to the family income. Also, most women worked in the informal sector, beyond the protection of labour regulations. She wondered what the status was of widows and female heads of household, and what the current unemployment rate was for women. She would also like to know if the reports that certain independent non-governmental organizations had been left out of the policy preparations for Indonesia's report were accurate. In general, a clearer idea should be given of how the Government intended to reconcile the aims of the Convention with the existing norms and values in order to achieve full implementation.

36. Ms. CORTI, agreeing with Ms. Yung Chung Kim's statements in relation to article 10, said that education would have to be the starting point in overcoming the acknowledged difficulty of modernizing a patriarchal society in a multicultural and multiethnic nation. However, for the moment an elitist society was being created in Indonesia, with no educational infrastructure for the majority of the population. Education was not free, although the State apparently supported either gifted or very poor students. Such a policy seemed too selective and probably excluded more women than men; and more information should be provided on the requirements for obtaining funded education. No statistics had been supplied on illiteracy, and the bases for the educational statistics that had been given were unclear. She would like clarification about the right of ethnic groups to education, whether they were taught in their own languages and whether there were special minority schools that aimed at cultural preservation.

37. Regarding the special temporary measures to accelerate equality under article 4, it was obviously still discriminatory to require married women to get permission from their husbands to take maternity leave. There seemed to be so much discrimination in the society, and Indonesia was still very far from full implementation of the Convention. Stronger political will was needed to achieve equality for women.

38. Ms. SCHÖPP SCHILLING questioned the Government's political will to follow up on all the Committee's recommendations. The Office of the State Minister for the Role of Women had been in existence for a long time and more laws should have been amended and adopted to improve the status of women. There should be quicker action in the implementation of reforms than the Committee had seen thus far. Despite the country's current financial crisis, the Government should not stop implementing programmes to enhance the enjoyment of women's human rights; otherwise it would be failing to tap over half of its human resources potential. Moreover, the Government should ensure that the economic impact of the crisis did not affect women more than men and should take advantage of that situation to further empower women.

39. The Committee could not allow cultural characteristics and norms to undermine the principle of the universality of women's rights. Some of Indonesia's traditional values and religious principles constituted fundamental impediments to the implementation of the Convention. Indonesia should examine its traditional values in order to determine those that were core values and those that were the result of patriarchal or historical customs, separate from the real core values. She was sure that the basic core values of Indonesia were not in contradiction with human rights principles.

40. Ms. LIN Shangzhen said the fact that Indonesian women's day had been proclaimed by presidential decree testified to the role of women in that country. Indeed, the Indonesian women's commitment to their country had been amply demonstrated by the heroic role that they had played in the country's struggle for national independence. Referring to the country's current economic crisis, she expressed great concern about the overall impact of the Government's austerity policy on the Office of the State Minister for the Role of Women.

41. Mr. WIBADSWO (Indonesia) said that his delegation had taken note of all the additional questions posed by the Committee. The Government and people of Indonesia, especially women's organizations, had taken many conceptual and concrete steps in all areas in order to implement the Convention. His Government realized, however, that many problems still remained with respect to the status of women. One way to address such problems was to develop social acceptance of equal partnerships between men and women to harmonize relations between them. In order to speed up the implementation of the Convention, the President had adopted a policy of equal partnerships through the national movement. The Government, particularly the Office of the State Minister for the Role of Women, was working towards a harmonized, equal partnership between men and women. The Committee's questions that were technical in nature would be discussed by a national working group composed of representatives of various ministries, non-governmental organizations, experts and academics; and the results of those discussions would be incorporated into the next report to be submitted later on in the year. The Committee's questions would be useful inputs for Indonesia's efforts to implement the Convention.

42. The CHAIRPERSON congratulated Indonesia, the country with the largest Muslim population in the world, for ratifying the Convention without making reservations on substantive articles, especially article 16. While the Office of the State Minister for the Role of Women had created a conducive environment for implementing women's rights, more affirmative action policies and reforms should have been implemented, given the fact that it had been in existence for 18 years. Although the Committee welcomed the fact that the principle of equality was enshrined in the Indonesian Constitution, it wished to see the Convention being invoked in courts. Some laws designed to protect women seemed to actually reinforce the traditional stereotyped role of women; and the strong division of labour in many ways limited the impact of the Convention and created an invisible barrier for women in society.

43. She was very impressed by Indonesia's successful family planning programme and commended the Government for its adoption of temporary and special measures in the areas of education, literacy, training and maternal health. However, there were many ways of expanding the role of women, such as having more women in political decision-making positions and in business. Data regarding violence against women were also lacking. While the Government was to be congratulated for its efforts to project a more positive image of women, the most important strategy for changing society's attitudes was through gender-sensitive school curricula as well as through the media. Marriage was another area where Indonesia could improve. There seemed to be a contradiction between the official position in favour of monogamy and the fact that polygamy was still permitted. The Government should make Indonesia, the country with the largest Muslim population, polygamy-free. Concerning the code on inheritance, she asked whether Muslim women could in practice opt for a civil law regime under which men and women could equally inherit property. She hoped that Indonesia, the current Chairman of the Group of 77, would try to include gender issues in most of that Group's programmes.

The meeting rose at 5.45 p.m.

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Eighteenth session

SUMMARY RECORD OF THE 379th MEETING

Held at Headquarters, New York,
on Tuesday, 3 February 1998 at 10.15 a.m.

Chairperson: Ms. ABAKA (Vice-Chairperson)

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In the absence of Ms. Khan, Ms. Abaka, Vice-Chairperson, took the Chair.

The meeting was called to order at 10.35 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Combined second and third and fourth periodic reports of the Dominican Republic (CEDAW/C/DOM/2-3 AND 4; CEDAW/C/1998/I/CRP.1/Add.2)

1. At the invitation of the Chairperson, Ms. Gutiérrez, Ms. Muñoz and Ms. Solano (Dominican Republic) took places at the Committee table.

2. Ms. GUTIÉRREZ (Dominican Republic) said that the Convention, which the Dominican Republic had ratified in 1982, was an important instrument in the struggle of Dominican women to change the patriarchal system. Recent years had seen major legislative changes on behalf of women, including the adoption of Act No. 24-97 amending the Penal Code and the Code of Criminal Procedure in the areas of violence and discrimination against women, adoption of the General Education Act, and amendment of the Elections Act and the Agrarian Reform Act. The women's movement was also advocating amendment of the Civil Code and incorporation of the principle of gender equality into the Constitution.

3. Measures to guarantee the human rights of women included the allocation of greater financial and human resources to the Department for the Advancement of Women (DGPM), establishment of a National Committee for Monitoring the National Plan of Action of the Fourth World Conference on Women and a draft bill to elevate DGPM to a ministry for women.

4. With regard to political affairs, 31 per cent of the Supreme Court justices were women and the number of women in the Foreign Service had increased. Despite progress in equalizing the numbers of male and female students in higher education, much remained to be done with regard to gender dominance in career choice.

5. The Government was meeting the challenge of poverty which limited women's role in the economy and access to basic services, by implementing specific programmes on their behalf.

6. Turning to the report of the pre-session working group (CEDAW/C/1998/I/CRP.1/Add.2) and, in particular, to question 4, she said that Dominican society was made up of descendants of the original Spanish colonists and their African slaves; the indigenous inhabitants of the island had virtually disappeared. The blending of those two cultures, together with the arrival of freed American slaves in the nineteenth century and Haitian workers in the twentieth, had resulted in an ethnically mixed and culturally syncretistic society. In recent years, there had been a massive emigration to the United States and Europe.

7. The urban class system could be broken down into a small elite (5 per cent); an upper class (15 per cent) made up of businessmen and high-level

government officials; a middle class (20 per cent) made up of small- and medium-sized business owners, professionals, mid-level government officials and skilled technicians; a lower class (40 per cent) made up of shopkeepers, employees and unskilled workers; and, as a subset of the lower class, street vendors and domestic workers (20 per cent), most of them from the rural parts of the country.

8. The rural class system could be broken down into wealthy landowners (15 per cent), medium- and small-scale producers (40 per cent), intermediaries involved in marketing (5 per cent), agricultural workers employed in the country's few agroindustries (20 per cent) and landless peasants (20 per cent), many of whom had migrated to urban areas, export-processing zones and tourist centres.

9. The Dominican Republic was a democracy with a President and Vice-President, elected for four-year terms, a Cabinet of Ministers, a Senate and Chamber of Deputies, and a judicial system made up of a Supreme Court, appeal courts and town mayors.

10. Gross domestic product (GDP) had grown at a rate of 6.9 per cent over the period to June 1997; growth industries included communications, construction, water and electricity, hotels and restaurants, transport, trade and manufacturing. The inflation rate was 9 per cent and the unemployment rate 15 per cent (9.5 per cent for men and 28.7 per cent for women). There had been significant economic growth and a corresponding drop in the unemployment rate during the first half of 1997 as a result of improved tax collection and reduced social spending. However, there had been no improvement in the unequal distribution of income, which could only be corrected by government programmes to improve the quality of life of its citizens.

11. With respect to question 5, 1990-1998 had been a period of macroeconomic stabilization, controlled inflation, reduction of the fiscal deficit and growth in GDP.

12. With regard to question 6, government action to combat poverty included programmes for job creation and food production and increased lending by the Agricultural Bank. The Government's poverty reduction plan focused on the poorest sectors of the country, with a particular emphasis on women heads of household. Programmes specifically directed towards women included the allocation of RD$ 60 million to DGPM activities, including implementation of a recent programme on women's production cooperatives and micro-enterprises aimed at developing alternative sources of income for women heads of households and improving standards of living. The Government had also allocated RD$ 300 million to a programme for both men and women to promote micro-, small and medium enterprises, with the channelling of loans to women's micro-enterprises through a women's NGO.

13. In addition, RD$ 28 million had been allocated to a programme for pregnant women and RD$ 56 million to a day-care programme for children of working women. The Government had provided over 7,000 rural women with tracts of land, and DGPM was working to give such women equal access to means of production and new technology.

14. In reply to question 7, she said that the national reform programmes described in paragraphs 75-112 of the fourth periodic report were too recent for their results to be evaluated but that representatives of DGPM and the women's movement had worked to ensure that a gender perspective was incorporated in all aspects of the reform process.

15. In relation to question 8, the National Statistical Office was expanding the range of data which it compiled and was placing special emphasis on social, demographic and economic variables relating to women. The Office would also become part of the information network on violence against women that was due to be created within the Department for the Advancement of Women (DGPM). For its part, DGPM was looking into the possibility of disaggregating by sex the data obtained from national population and housing surveys. A working relationship existed between DGPM and the United Nations International Research and Training Institute for the Advancement of Women (INSTRAW), which had provided various forms of assistance to the Department, including collaboration in a project to quantify the value of unpaid labour with a view to its incorporation in the national accounts and assistance in reporting to the Committee by the State party.

16. Responding to question 9, she said that the Government had established a broad-based National Committee for Monitoring of the National Plan of Action of the Fourth World Conference on Women and, through DGPM, was currently implementing a UNDP-assisted project aimed at strengthening the national capacity to implement the Beijing Platform for Action by, inter alia, promoting greater participation by women in national decision-making.

17. In relation to question 10, DGPM funding for 1998 would amount to 0.10 per cent of the national budget, an increase of 0.08 per cent over the previous two years. The Government also funded, through various ministries and private institutions, projects that were of benefit to women. Funding for private institutions in 1998 represented an increase of 217 per cent over 1997.

18. With reference to question 11, the Government was reviewing the Civil, Penal and Labour Codes in order to identify and amend those provisions that discriminated against women. The resulting amendments were being widely disseminated. Lobbying efforts continued in the Congress for the ratification of international agreements on women's rights, such as the Convention of Belém do Pará.

19. With regard to question 12, at the time the Constitution was drafted, men and women had not been considered equals and citizenship had been contingent upon whether a person had attained the age of majority and whether he or she was competent to elect or be elected.

20. In relation to question 13, men and women had to fulfil the same requirements for obtaining an identification card.

21. The legislative changes referred to in question 14 were relatively recent and were currently being disseminated. The authorities responsible for their implementation were being trained, women were being taught how to avail

themselves of the new provisions and the necessary mechanisms were being established to guarantee their application.

22. On the subject of agrarian reform raised in question 15, while it was too early to tell how women had benefited from the reform, an initial batch of 1,280 women had received plots. Also, when a man died, his wife inherited the land.

23. In relation to question 16, the Ministry of Agriculture, the Agrarian Institute and the Department for the Advancement of Women had concluded an agreement to accelerate agrarian settlements for women by providing technical assistance and loans, especially in the south-eastern region of the country, where poverty among rural women was particularly acute.

24. Replying to question 17, she said that no restrictions were placed on access by women to government housing programmes.

25. Ms. SOLANO (Dominican Republic) explained, with reference to question 18, that the human rights of women who were victims of abuses by police, military or government officials were protected by Act No. 24-97 against domestic violence. While the Act provided for punishment for such abuses, it was necessary to increase the public's awareness and acceptance of the new provisions. The Department for the Advancement of Women, concerned non-governmental and community-based organizations and the national police had therefore taken a number of measures to guarantee its full implementation, including dissemination of the text of the Act, the organization of training workshops and the establishment of a special department to provide protection and advisory services to victims of domestic violence.

26. In relation to question 19, DGPM was the agency responsible for shaping the national gender policy. It was currently executing a national plan of action aimed at developing the institutional capacity to implement the Beijing Platform for Action and at coordinating programmes designed to reduce inequality. More immediately, it continued to work on the amendment of discriminatory laws and to develop programmes aimed at the empowerment of women, poverty reduction and the prevention and punishment of domestic violence.

27. In relation to question 20, she explained that the Catholic and evangelical churches only were represented on the National Committee for Monitoring of the National Plan of Action of the Fourth World Conference on Women because they had the largest followings and greatest influence on the country's political, social and cultural life.

28. With reference to question 21, PROMIPYME (programme for the development of micro-, small and medium-sized enterprises) provided loans for women. DGPM operated a special programme that created jobs for women in textile cooperatives and the Metropolitan Transport Authority reserved certain jobs exclusively for female university students.

29. The special measures referred to in question 22 were scrupulously observed and employers guilty of violating them were punished. The Department of Labour and the provincial offices of the Ministry of Labour monitored the implementation of the measures.

30. In relation to question 23, the Government had elaborated a national social development plan and a plan of action for the reduction of poverty.

31. In response to question 24, she said that ratified international and regional conventions and treaties became part of national legislation after certain formalities had been completed. In the case of the Convention of Belém do Pará, however, resistance by the police and judicial authorities to the conceptual changes established by the new legislation constituted an obstacle to its implementation. With the assistance of various government agencies, including the national police, the Ministry of Public Health and the Department for the Advancement of Women, the administration was therefore developing mechanisms for the application of the legislation to prevent and punish violence against women.

32. Responding to question 25, she said that the Government was promoting greater public awareness of violence against women through educational campaigns in print, and on radio and television, and through the organization of training courses for police, health and legal personnel. A special unit for the protection of women had been created as a pilot project within the police department of a working class district of the capital. Several more units were expected to be established during 1998. In all of its efforts to prevent and punish violence against women, the Government sought to involve relevant non-governmental organizations and other sectors of civil society.

33. In reply to question 26, the measures envisaged included the revision of textbooks and curricula and the provision of gender training to teachers, the conclusion of agreements on the implementation of gender training programmes for all government departments and the incorporation of the gender perspective into State reform and modernization efforts. However, many women, including those in positions of leadership, were resistant to the idea that socially established behaviour patterns were an obstacle to their advancement. Accordingly, gender awareness was being raised through educational materials on women's contributions to society and the commemoration of special days for women.

34. In reply to question 27, many Dominican men felt that Act No. 24-97 was too drastic a response to conduct, such as physical and psychological abuse and sexual harassment, which they had traditionally viewed as natural; on the other hand, the Act had encouraged more women to report such behaviour. With respect to the authorities, new mechanisms to implement the Act were being put in place, such as the establishment of a corps of forensic psychologists, who would be called upon to certify the existence of an offence. Moreover, the police were being trained in the new functions established under the Act. Resistance to its implementation, on the part of police and public prosecutors as well as the population in general, could be overcome only through continued educational and awareness-raising initiatives. The women's movement participated actively in that process through training programmes, inter-agency coordination, interaction with various organizations of civil society, efforts to publicize the new Act and referral services.

35. With reference to question 28, the media, education, religion and custom tended to uphold traditional stereotypes of women. Advertising continued to portray women as sex objects and to reinforce the idea of male supremacy,

thereby fostering violence and abuse. The media ignored women's productive role and depicted passivity and submissiveness as features of the "ideal" woman. Traditional education also promoted such values, many of which were based on religious precepts that were deeply rooted in the customs of Dominican society. Efforts to improve women's status sometimes conflicted with those values.

36. Economic hardship had induced more women to enter the labour force. The capacity to contribute financially to their households had helped to boost women's self-esteem and to enhance their equality within the family, even though housework was still undervalued. Paid work had also enabled more women to emigrate and had increased the percentage of households headed by women to nearly 40 per cent.

37. With respect to question 29, advertising material which fostered gender discrimination and gender violence was prohibited under new regulations. As part of the publicity campaign on sexual harassment in the workplace and domestic violence, an illustrated version of Act No. 24-97 had been published. The Government was seriously concerned about the high incidence of sexual abuse of children, and had established a lead agency to ensure the implementation of the 1994 Code for the Protection of Children and Adolescents, which embodied the principles enshrined in the Convention on the Rights of the Child. Moreover, Act No. 24-97 contained provisions on child abuse and trafficking in children, and increased the penalties for sexual assault in cases where the victim was a minor. It also defined incest and attempted incest as criminal offences.

38. Activities to change stereotyped images of women, referred to in question 30, included research on women, as well as campaigns, forums and commemorative activities aimed at the general public. The use of non-sexist language was becoming more prevalent in intellectual and academic circles, as well as in government documents and laws. In addition, the subject of women was included in the national dialogue on the State's modernization and reform agenda, and non-governmental women's organizations participated in the national development debate. In the academic sphere, a master's degree programme in gender and development had been established. Political parties, women's business associations, trade unions, community and religious groups, grass-roots organizations and professional associations participated in such activities.

39. In reply to question 31, the link between the Church and the State had been consolidated by the concordat signed in 1954 between the Government and the Holy See. In effect, the concordat limited the implementation of measures to change social norms that hindered women's advancement. The current reform process involved the redefinition of the State's relationship with other sectors, including the Church. However, that would be a complex task, in view of the profoundly religious character of the Dominican people.

40. With reference to question 32, trafficking in women and girls was punishable by imprisonment under Act No. 24-97, and the use of girls or adolescents in pornography or their exploitation as prostitutes was punishable by fines. Workshops to train judges, prosecutors and police officers were being conducted to ensure that those provisions were enforced. Moreover, joint actions were being taken with the Migration Service, the Ministry of Tourism and

non-governmental organizations in parts of the country that attracted tourists, where cases of child prostitution and trafficking in women were most prevalent.

41. In reply to question 33, the number of women working in the sex industry in the Dominican Republic was estimated at 50,000. There were no socio-economic integration programmes for prostitutes, with the exception of a few isolated, small-scale initiatives taken by religious organizations. The United Women's Movement, which consisted of sex workers, had held a congress in 1995 and a national forum in 1997, and was working to promote training for such women and to prevent trafficking in female prostitutes. Although all forms of violence against women were punishable under Act No. 24-97, there were no specific labour regulations guaranteeing the punishment of prostitutes' clients. With respect to sexually transmitted diseases and acquired immunodeficiency syndrome (AIDS), epidemiological surveillance, education and information activities were being conducted for sex workers, inter alia by non-governmental organizations.

42. Statistics on cases of rape, referred to in question 34, had not yet been compiled. However, since the promulgation of Act No. 24-97, the authorities had begun to develop the tools needed to keep records of cases of violence.

43. With reference to question 35, the experience of women who reported cases of violence was usually very traumatic because the authorities acted on the sexist assumption that the victim had provoked the violence; most cases of violence, especially domestic violence, had not been defined as criminal offences; the victims' privacy was violated during questioning; and reports were processed by personnel, especially police officers, who had not been trained to handle such cases. However, in the short time since the promulgation of Act No. 24-97, efforts had been made to avoid such situations and to encourage victims to come forward.

44. With respect to question 36, the Government had published educational materials on the problems faced by Dominican women who emigrated to Europe. In addition, it had held meetings with migrant women residing in Switzerland and Spain in order to exchange information on their situation and learn about their needs. Efforts were being made to provide financial aid for the programmes of the Inter-institutional Committee for the Protection of Migrant Women.

45. In reply to question 37, Elections Act No. 2475-97 had been adopted in December 1997. It provided that not less than 25 per cent of the candidates nominated by political parties for congressional or municipal office should be women.

46. In reply to question 38, 54 per cent of the votes recorded in the last presidential election had been cast by women. Voters did not have to meet any property or literacy requirements.

47. The women's movement in the Dominican Republic, referred to in question 39, carried out a wide-ranging national campaign to promote women's political participation in elections. The actions taken included training programmes for women candidates and leaders of political parties, media campaigns and the elaboration of a national Women's Equal Opportunity Plan for submission to the various political parties. Currently, training programmes were being conducted

for female politicians and candidates for the May 1998 congressional elections. As a result of the national campaign, alliances had been forged among the women's movement, the Department for the Advancement of Women and women who had been elected to congressional or municipal office. Their joint efforts had resulted in legal reforms to benefit women, such as the reform of the Elections Act, and the establishment of the Honorary Committee of Women Advisers to the Senate.

48. In reply to question 40, women were a minority in the legislature because neither political parties nor the Elections Act provided for mechanisms or measures to regulate women's political participation, women were insufficiently aware of the importance of their participation in decision-making positions, the structure of political parties was anti-democratic and patriarchal, and sexism was deeply rooted in the country's socio-cultural patterns.

49. Regarding question 41 on the representation of women in the smaller political parties, gender-disaggregated data was not available. In terms of party leadership, however, the proportion of women in the smaller parties was less than 2 per cent compared with 35 per cent in the Dominican Revolutionary Party, 30 per cent in the Dominican Liberation Party, and 15 per cent in the Christian Social Reformist Party.

50. In relation to question 42, the Department for the Advancement of Women had become involved in the national dialogue aimed at integrating women into politics. Provincial branches had been established to develop local leadership among women. The Department was also collaborating with a number of ministries and public institutions on women's projects in health care, the arts and agriculture. A campaign was under way to teach illiterate rural women how to read and write. The Confederation of Rural Women was a women's lobbying group that brought together 250 women's associations. The Coordinator of Non-Governmental Organizations for Women's Issues acted as a focal point for 40 women's associations at the national level.

51. With regard to question 43, the rate of female participation in international organizations was 62 per cent. In embassies the rate was 49 per cent and in consulates it was 49.1 per cent.

52. With reference to question 44, the work of the Honorary Committee of Women Advisers to the Senate had resulted in the amendment of the legislation on family violence and education. The Honorary Committee was jointly organizing workshops and training events with the Department for the Advancement of Women. Under Electoral Act No. 275-97, at least 25 per cent of the candidates on each party's electoral list had to be women. In the judicial sphere, a woman had been appointed to the post of Commissioner for Judicial Reform and Modernization of Justice; 31 per cent of Supreme Court judges were women.

53. On question 45 dealing with nationality, in the Dominican Republic a person's nationality was determined by a combination of the place of birth and the nationality of the parents. There was, however, discrimination against the mother in the case of nationality obtained through naturalization. In such cases only sons acquired Dominican nationality where the father had disappeared or where the mother had custody of the children. In answer to question 46, no

changes had been made to the discriminatory nationality law because such a step would require a constitutional amendment. However, the Government did intend to make such an amendment, in which case it would be possible to eliminate the discriminatory provision.

54. Ms. MUÑOZ (Dominican Republic) said that, with regard to question 47, the Government had introduced a range of measures to address persistent sexist stereotyping in the education system through the special department 'Educ-Mujer' in the Ministry of Education and Culture. Although the measures included professional and technical training, such training was not specifically targeted at women. In answer to question 48, women's non-governmental organizations aimed to change traditional cultural patterns through gender-education, public debates, awareness-raising campaigns and dissemination of educational material. In reply to the request for statistics in question 49, the proportion of female teachers at the primary-school level was 74.7 per cent, compared with 48.6 per cent and 28.4 per cent at the secondary-school level and in higher education respectively. No statistics were available on fellowship programmes. Since September 1997, the public school curriculum had incorporated a sex-education element despite continuing resistance from the Catholic Church. Regarding question 50, there were currently no specific incentives offered by the Dominican Government to encourage girls to take up science subjects.

55. With reference to question 51, 'Educ-Mujer' was organizing non-discriminatory vocational training days. The sex-based requirements for enrolment in technical colleges had been abolished and all such establishments were now mixed.

56. By way of response to question 52, more and more women were enroling in higher education as a result of greater social awareness and labour market imperatives, but they continued to find it difficult to break into high-profile decision-making jobs despite the fact that they were often academically better than men. On question 53, the main reasons why Dominican children often failed to attend school were extreme poverty, lack of facilities, poor motivation on the part of the parents, and low teaching standards in the public school system. Measures such as provision of school meals had been used to encourage attendance, and teachers' salaries had been increased.

57. In answer to question 54, private universities were funded principally from tuition fees. Of the 1 million illiterate persons in the Dominican Republic, referred to in question 55, 49.4 per cent were women. The National Adult Education Authority had initiated a literacy day aimed specifically at that segment of the population.

58. Regarding question 56, the Labour Code applied to women working in the duty-free zones and covered all industrial health issues, although in practice there were shortcomings in the way it was applied. Sanctions for violations of the Labour Code varied according to the gravity of the offence. The bill on day-care facilities had still not been adopted. On question 57, various duty-free zones had taken individual initiatives such as establishing health clinics and child-care centres. The worst employment conditions existed in the textile industry.

59. With reference to question 58, there had indeed been court cases with regard to the protection of female workers. Firms found guilty of violations were required to pay employment benefits and compensation equivalent to the total wages owing to the worker. No affirmative action measures had been taken.

60. In response to question 59, the Dominican Republic had ratified 28 International Labour Organization conventions, including six of the seven most fundamental. The Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value was in the process of being ratified. A study had been carried out in 1997 in order to gain a better understanding of the equal pay issue. The Labour Code had established a 44-hour working week and there were also regulations governing the establishment of a minimum wage for each industrial sector.

61. With reference to question 60 on female participation in trade unions, women's issues rarely made their way on to union agendas because women rarely occupied decision-making posts. However, many unions had special women's sections. On question 61, the level of child care provided by employers was currently negligible. The two bills mentioned in question 62 relating to the conditions of female workers and the establishment of day-care facilities had not been adopted. The Honorary Committee of Women Advisers to the Senate and the Department for the Advancement of Women intended to resubmit the bills.

62. With regard to question 63, the Institute of Technical and Vocational Training intended to strengthen women's community organizations with a view to eliminating the sexism of certain "male-only" professions. Statistics showed that the number of women enroling in technical courses was on the rise.

63. On question 64, working conditions in the Dominican Republic had improved with the entry into force of the 1992 Labour Code, especially with regard to the treatment and working conditions of female workers. Female domestic workers were covered by a separate statute. Regarding question 65, women were entitled to flexible maternity leave of 12 weeks. Half of a woman's wages were paid by the employer and the rest by the State. It was also possible for female employees to take annual leave immediately after maternity leave, thereby extending the amount of time that a mother could spend with her baby. With reference to question 66, there was no institutional mechanism to regulate paid domestic work. It was the responsibility of the individual employer to ensure that the contract was honoured.

64. The practical effect of the 1992 Labour Code, referred to in question 67, had been to protect the rights of all workers and the equal rights of female workers in particular. The Dominican courts did have the authority to hand down sentences for violations of the Code. However, the provisions relating to breastfeeding breaks had been difficult to enforce; a campaign was currently under way to raise awareness of the issue among employers.

65. With regard to question 68, the Dominican Government had no knowledge of any women emigrating to Arab countries. However, the assistance of the International Organization for Migration had been sought to combat the trafficking of women to Europe. Regarding question 69, there were no special

measures in place to assist female Dominican migrants who left the country in search of work, although an initiative along those lines was being considered.

66. With reference to question 70, female workers in the duty-free zones were protected under the Labour Code. The main problems they faced were lack of facilities to take breastfeeding breaks, lack of day-care facilities, inadequate AIDS education, and denial of promotion on sexist grounds. Under new legislation, investors in duty-free zones could be foreign legal persons, foreign natural persons or Dominican natural persons resident abroad. At the present time, 65 per cent of the capital invested in the zones was domestic; the remainder was foreign.

The meeting rose at 1 p.m.

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Eighteenth session

SUMMARY RECORD OF THE 380th MEETING

Held at Headquarters, New York,
on Tuesday, 3 February 1998, at 3 p.m.

Chairperson: Ms. ABAKA
(Vice-Chairperson)

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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Combined second, third and fourth periodic reports of the Dominican Republic (continued)

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In the absence of the Chairperson, Ms. Abaka (Vice-Chairperson) took the Chair.

The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Combined second, third and fourth periodic reports of the Dominican Republic (continued) (CEDAW/C/DOM/2-3, CEDAW/C/DOM/4, CEDAW/C/1998/I/CRP.1/Add.2)

1. At the invitation of the Chairperson, Ms. Solano, Ms. Muñiz and Ms. Gutierrez (Dominican Republic) took places at the Committee table.

2. Ms. SOLANO (Dominican Republic), turning to the questions contained in the report of the pre-session working group (CEDAW/C/1998/I/CRP.1/Add.2) on article 12, said, in reply to question 71, that her country's health-care system was made up of various public and private institutions under the Ministry of Public Health and Social Welfare. The main service-providing mechanisms were: the health services network of the Ministry of Public Health and Social Welfare, which functioned as an open subsystem and was financed through taxes; the Dominican Social Security Institute, which functioned as a closed subsystem and was financed through compulsory contributions; the Social Security Institute of the Armed Forces and National Police; privately financed medical and insurance companies; self-managing insurance companies that were financed through voluntary contributions; privately financed clinics, diagnostic and research centres, one of the subsystems with the widest coverage; the private non-profit sector, mainly run by non-governmental organizations and financed from a combination of private, State and international assistance sources.

3. A national health system reform plan had been drawn up to regulate and improve the quality of health services. There was broad coverage for women, particularly in the area of gynaecological care. According to the Population and Health Census (ENDESA 96), 97 per cent of all pregnant women received pre-natal check-ups and over 90 per cent of births took place in institutions or hospitals. The levels of care during pregnancy were high, irrespective of the woman's place of residence, level of education and age. The main gynaecological and other services provided to women included screening for cancer of the uterus, breast cancer, sexually transmitted diseases and AIDS; pre- and post-natal care; and family planning services, in addition to access to general health services through the various hospital centres of the Ministry of Public Health and Social Welfare. The main problems in the services made available to women were related to their quality. Birth control was safe and voluntary.

4. In reply to question 72, she noted that, under the national development plan, government policies aimed at improving the overall quality of life of the population in terms of reducing poverty levels, combating the high levels of illiteracy, improving public transport, housing and electricity services. In the area of health, there was a national plan for the reform and modernization of the health system with priorities defined for women. Women were entitled to pre-natal care and childbirth in hospitals; they were also offered advice on

breastfeeding. Family planning services included advice to users, the provision and monitoring of contraceptive methods and promotion of family planning through the radio, television and educational materials.

5. According to the Population and Health Census, 36.1 per cent of contraceptive methods were provided by the public sector, 46.9 per cent by non-governmental organizations with family planning programmes, and the remaining 16.5 per cent by other sectors. According to the latest epidemiological figures supplied by the Ministry of Public Health and Social Welfare, there were 4,157 cases of AIDS and 4,083 cases of HIV infection, of which 33 per cent involved women and 66.6 per cent men. It was estimated that 28 per cent of all cases were unreported. Although the demographic profile of those affected with AIDS was predominantly male, cases concerning women were on the increase.

6. With reference to question 73, the Dominican Republic had achieved considerable reductions in its rates of malnutrition in recent decades, especially as far as inadequate weight for height was concerned. However, 32 per cent of pregnant women still suffered from iron deficiency. A national food and nutrition plan for 1995-2000 had been drawn up to address the problem of malnutrition; and women were one of the priority groups under that plan. There had been a significant decline in diseases that were subject to epidemiological monitoring. In the case of immunization against poliomyelitis, coverage was higher than 90 per cent throughout the country and it had therefore been declared eradicated. The number of measles cases had been reduced to 12 per 1,000,000 inhabitants. In the period 1988-1995, there had been a rising trend in the incidence of malaria; as a result of health measures taken by the authorities, the trend had been downward since 1996. There had been sporadic outbreaks of classic dengue fever in urban areas during the period 1980-1989. Since 1992, the number of such cases had increased, and the Ministry of Public Health and Social Welfare had drawn up an emergency plan to educate the population on that disease.

7. Turning to question 74, she noted that the Ministry of Public Health and Social Welfare had established a programme for strengthening the national system of statistics in the area of health; it was coordinated by the National Planning Office and the National Council on Population and the Family. An information and data-processing unit had also been established under the national plan on the reform of the health sector. On question 75, she said that the Department for the Advancement of Women gave priority to strengthening the national system of health statistics disaggregated by sex. That would generate reliable and timely information to improve the process of formulating, implementing and evaluating policies, programmes and projects in the area of health; it would also ensure that fewer vital statistics went unreported, especially statistics concerning maternal mortality. The Department for the Advancement of Women was a member of the Committee of the National Council on Population and the Family responsible for designing a system of information with a view to ensuring that the gender perspective was reflected therein.

8. With respect to question 76, she noted that abortion was illegal in her country in all circumstances. There were no public abortion services. Centres that offered such services did so illegally. The latest studies estimated that

there had been about 35,500 induced abortions, and that 16.6 per cent of maternal deaths were related to abortion. As far as question 77 was concerned, the sexually transmitted diseases and AIDS control programme (POCETS) had been established under the Ministry of Health and Social Welfare in addition to the National Commission on AIDS. The three basic components of that programme were the epidemiological monitoring of HIV/AIDS, an educational programme in areas where care was provided for HIV/AIDS patients, and education, including mass media campaigns focusing on the prevention of all sexually transmitted diseases. A national strategy for information on and prevention of AIDS had been established; and there was also a national action plan for women and AIDS which focused on research, education, communication, information and epidemiological control. The State also participated, together with various non-governmental organizations, in the establishment of the strategy for the prevention of HIV/AIDS among young women, which was basically aimed at promoting a positive attitude among young women towards the prevention of HIV/AIDS and reducing the external constraints that impeded the prevention of HIV/AIDS infection among young women.

9. In reply to question 78, she indicated that the Government was in the process of negotiating financing agreements with international cooperation agencies in order to maintain and improve health services. With respect to question 79, she noted that every year, over 10,000 cases of syphilis, gonorrhoea and herpes simplex were reported in her country. In the case of women, 27 per cent had vaginal infections, 9 per cent inflammatory pelvic diseases and 6 per cent chlamydia. The main causes of maternal mortality were toxaemia (25 per cent), infections (21 per cent), haemorrhages during childbirth (20 per cent), indirect obstetric causes (11 per cent), abortions (10 per cent) and puerperal complications (9 per cent).

10. Turning to question 80, she noted that in order to reduce maternal and infant mortality, the Government had adopted a National Plan to bring the maternal mortality rate to below 80 per 100,000 live births by the year 2000. That strategy had been outlined within the national social development plan, which was a point of reference for actions aimed at improving the living standards of the country's population, and, in particular, women and children. Activities currently being implemented included the provision of maternal and child care within health services, a safe drinking water programme, ongoing education of human resources in the health field and establishment of a system for monitoring maternal and infant deaths. Achievements to date included the establishment of offices in two health centres, the drawing up of a protocol for obstetric emergencies, the setting up of an epidemiological monitoring system for maternal and infant deaths and the definition of a joint strategy between the State and non-governmental organizations on sexual and reproductive health.

11. Ms. MUÑIZ (Dominican Republic), turning to article 13, said in response to question 81, that the social security system was currently being modernized in order to ensure broader coverage. There were various social security schemes. However, most of them had serious coverage limitations and current legislation did not include family members, self-employed workers and categories such as domestic servants, drivers and public employees. Some, like the Dominican Institute of Social Insurance, provided sickness benefits, maternity benefits and family insurance, including obstetric care for the wives of insured persons

and care for the newborn. In general, women had an equal right along with men to such benefits. Under most of the schemes, benefits were not provided to unmarried pregnant women. Similarly, a man's partner received benefits only if he was married to her. With respect to question 82, she noted that women who were insured under the social security scheme received the benefits established by law. However, the spouses of the insured received pregnancy, childbirth, breastfeeding and child-care benefits until the child was a year old only if they were married. The benefits of some schemes included the provision of loans to their members. There was no special mechanism responsible for handling claims relating to access to benefits and services.

12. As far as question 83 was concerned, as a result of the amendment to the Agrarian Reform Act women could benefit, on an equal footing with men, from agricultural loans, technical training and housing plans. On 8 March 1997, the Government had granted 1,280 plots to women in Cotuí, in the province of Sánchez Ramírez. More than 7,000 rural women would ultimately benefit.

13. Turning to question 84, she noted that the Government, through the Agrarian Institute was developing a programme with groups of rural women concerning the new legislation and the Department for the Advancement of Women had begun to disseminate the law through brochures and training workshops to groups of rural women. Similarly, the National Network for Technical Cooperation between institutions and organizations that supported rural women, involving 55 non-governmental organizations, had been set up. Non-governmental organizations had launched a process of consultations among rural women through workshops and regional meetings to disseminate the Act, using material produced by the Department for the Advancement of Women.

14. As to question 85, the beneficiaries of the housing schemes established under the national programme to combat poverty launched in August 1996, included women heads of household. The aim of the plan was to improve precarious human settlements through the joint involvement of the State and the community, and to improve housing by facilitating access of owners to credit.

15. Ms. SOLANO (Dominican Republic), turning to the questions on article 14, said, in connection with question 86, that rural women were not fully aware of their rights under the Convention, although organized women's groups had received information about the Convention. In that connection, measures adopted in 1997 included the establishment and upgrading of the status of the programme for rural women under the Ministry of Agriculture, the preparation of an educational programme on the amendments to the Agrarian Reform Act to be carried out by the Department for the Advancement of Women as of 1998, and the development by non-governmental organizations dealing with women's issues of educational and income-generating programmes as well as programmes for the protection of the rights of rural women. The main obstacle to the advancement of rural women was the fact that there was no national policy to develop the rural sector, nor was it a priority in national development plans and projects.

16. Concerning question 87, she indicated that mass educational campaigns on methods of contraception had existed since the late 1960s. In recent years, services in rural clinics under the Ministry of Public Health and Social Welfare had been expanded. A shortcoming in that area was the limited service provided

by the National Council on Population and the Family in rural areas. According to the Population and Health Census, 93.9 per cent of rural women were aware of and could accurately describe at least one modern method of contraception, and 59.5 per cent of sexually active women used some method of contraception. The corresponding percentages of urban women were 97.6 and 66.4 per cent, respectively.

17. Replying to question 88, she said that no figures were available on maternal mortality by areas of residence. The Population and Health Census had estimated that there were 229 deaths for every 100,000 live births in 1983-1984. The lack of hospital records on such cases made it impossible to have information on maternal mortality and other health indicators. Turning to question 89, she noted that rural women were not very visible in local positions of power and in other positions of authority such as federations and associations of landholders and associations of agricultural producers. Stereotypes and cultural patterns regarding women had a greater influence in rural areas and that, together with the high levels of poverty, meant greater marginalization of rural women.

18. With respect to question 90, she said that women had the same rights as men to credit and technical assistance programmes. In order to ensure compliance with the legal provisions, the Department for the Advancement of Women had signed cooperation agreements with the Agricultural Bank, the Ministry of Agriculture and the Agrarian Institute. Loans were also being provided through the programme to promote and support micro-, small and medium-sized enterprises, through the provincial women's offices. Discriminatory practices continued to be an obstacle to the compliance with provisions on equal opportunities for rural women, since the executing agencies did not accord women priority when they determined who was to benefit from their activities.

19. In reply to question 91, she noted that the National Price Stabilization Institute had a programme for purchasing, on a large scale, the grains and rice produced by associations of small producers. Because of their low representation in such associations, women had little access to that service. With respect to question 92, according to the results of recent studies, the figure of 60 per cent of women heads of household did not correspond to reality. The living conditions of rural women were far worse than those of other segments of the population living in poverty. Indeed, rural women were the poorest of the poor, with high rates of illiteracy, general mortality, malnutrition and unemployment. It was also extremely difficult for them to get access to training and social services in general. While there was no general policy for rural women, the Department for the Advancement of Women was developing a programme in coordination with sectoral institutions of the Government to define regional development plans for rural women. In 1998, the overall development plan for women in the eastern part of the country would get under way.

20. With respect to question 93, she said that no priority had been given to rural women in national development projects. Generally, preference was given to women in implementing programmes and projects in areas such as nutrition, family planning and latrine construction, that were designed to solve problems relating to children and the family, and where women were viewed more as intermediaries for carrying out actions than as subjects of development.

Presently, the Department for the Advancement of Women was promoting the implementation of plans for the overall development of women in coordination with government agencies and non-governmental organizations.

21. Turning to question 94, she indicated that the Department for the Advancement of Women, together with the Ministry of Agriculture and the Food and Agriculture Organization of the United Nations (FAO) were working on the establishment of the national support network for rural women. Regarding question 95, she noted that the Dominican Agricultural Bank was accepting applications for the granting of loans to micro- and small agricultural producers and that the Ministry of Agriculture had a revolving fund of 8 million pesos for granting credit to rural women's associations for the development of agricultural and agro-industrial plants and services. However, the coverage of such measures was limited.

22. In response to question 96, she said that under the amended Agrarian Reform Act, 1,280 women heads of household, who had been working the land on an infrequent basis because the previous legislation had discriminated against them, had been granted titles to plots of land. They had also become the direct beneficiaries of credit, training and technical assistance programmes for the farming of their plots. However, just 11 months after the implementation of reforms under that Act, there was not yet sufficient information to assess its impact.

23. With regard to question 97, since 1997 women had had equal rights with men in terms of access to land under the Agrarian Reform Act and to all the training programmes provided by the agrarian bodies. In order to ensure the equality of rights established under the Agrarian Reform Act, an agreement had been reached between the Agrarian Institute and the Department for the Advancement of Women to establish procedures and educate officials and technicians so that women would not suffer discrimination in practice. The programme in the Mothers' Centres did not include training in non-traditional areas. On question 98, the information system of the national network to support the advancement of rural women was being systematized. The rural women's division of the Ministry of Agriculture was establishing a data system on the situation of rural women, which incorporated a gender perspective.

24. With regard to question 99, she said that on various occasions the Government and non-governmental organizations had discussed the need to coordinate a working agenda to help increase the impact of the programmes which they were implementing, but they had not reached specific agreements. In the 1998 national budget, RD$ 19,950,600 was allocated to grants and support for projects developed by rural organizations and federations, although in view of the low participation of women in small producers' organizations, their share of those funds would be minimal. On question 100, rural organizations received support from the World Food Programme, in the form of food for work, from the Food and Agriculture Organization of the United Nations, in the financing of production and training projects, and from the United Nations Population Fund, in the implementation of a programme on reproductive health in the most depressed regions of the Dominican Republic.

25. Referring to question 101, she said that there were no specific programmes for women relating to the use of natural resources and the preservation of the environment; that was one of the main constraints in improving the living conditions of rural women. On question 102 under article 15, article 1428 of the Civil Code remained in force. The Department for the Advancement of Women and the honorary committee of women advisers to the Senate were reviewing draft amendments to the Civil Code drawn up by women's organizations with a view to submitting them to the legislature for adoption. With reference to question 103, the principle of equal treatment in the courts was established, but in practice there was discriminatory treatment of women. There were legal aid services, legal clinics of the Department for the Advancement of Women, and also services provided by the Ministry of Labour and the Legal Aid Department, and by specialized non-governmental organizations. Women had limited access to those services because of lack of awareness of their existence and low coverage of the services provided by the Department for the Advancement of Women and non-governmental organizations. On question 104, since the Civil Code had not been amended, the bill on freedom of divorced women to choose their place of residence had not been tested in court. The restriction in the existing law therefore remained.

26. Referring to question 105 under article 16, the results of recent trends included an increase in the number of female-headed households, especially in the towns, to some 30 per cent, and a larger number of women entering the labour market, which gave them greater economic independence. In addition, there was an excessive burden of work for women, which was detrimental to their physical and emotional health, an increase in family poverty, especially families headed by women, and family instability as a result of changes in household structure. With regard to question 106, it was not possible for a mother to administer the personal property of minor children because the legal principle that the father was the administrator of the family property remained in force. A divorced woman was free to administer her own personal property. On question 107, a woman could not be the legal guardian of her husband because the principle that the husband was the administrator of the family property remained in force. The family council consisted of the justice of the peace who presided over it, and six members, either relations or friends of the person subject to judicial disability. It was one of the trusteeship bodies, and its basis was that the legal provisions in force did not empower women to administer family property. The powers of the family council were to meet to appoint a guardian and supervisory guardian, monitor his activities and authorize certain actions concerning the person or property of the incapacitated person.

27. Ms. GONZALEZ said that the reports demonstrated the political will of the Government of the Dominican Republic to fulfil its international human rights commitments, specifically in relation to the Convention. It was very significant that the plan of action for poverty reduction targeted women heads of household and that specific programmes had been initiated to help them develop alternative incomes. She welcomed the agreement between the National Office for the Advancement of Women and the National Statistical Office to incorporate a gender perspective into statistics, and was pleased that the National Office for the Advancement of Women was to be upgraded to a Ministry for Women and that it had formulated a short-, medium- and long-term plan of action. The progress made in reducing violence against women, including abuse

of their rights by police officers, showed what could be achieved when women's groups, non-governmental organizations and the Government combined their efforts. It was important for the Government to continue its efforts to combat the sexual abuse of children.

28. In relation to trafficking in women and children, the Government should consider the possibility of adopting new and broader measures to combat commercial sex rings, which operated mainly from Europe, apparently with impunity. With joint action among all the countries concerned, it should be possible to achieve results. The information provided on the reform of the health-care system showed that the Government was undertaking a major campaign against HIV/AIDS. It was impressive that in the Dominican Republic there were fewer illiterate women than men, since in most countries the reverse was true. It was commendable that Dominican women and non-governmental organizations had been able to broaden the political participation of women and achieve the promulgation of a law on quotas in 1997. She hoped that it would be possible to relieve the pressure of the Catholic Church, so as to establish sex education programmes and achieve progress in many other areas.

29. Ms. CORTI said that, although it was a small country, the Dominican Republic attracted the attention of the Committee because of the political will shown by the Government and the strength of the women's movement. It was commendable that the Government had established a National Committee for Monitoring the National Plan of Action of the Fourth World Conference on Women. The Committee was always concerned about the de facto, as well as the de jure situation in States parties. In the Dominican Republic, a first priority was to combat poverty, along with prostitution and trafficking in persons. There seemed to be a very high level of machismo in the Dominican Republic and a lack of involvement of women in political decision-making. Another problem was that there appeared to be two strata of women, those who were engaged, and those who were not empowered. As a result, not all women were aware of their rights and possibilities. The concordat with the Catholic Church was another obstacle to progress and modernization; women had to elaborate a strategy to bring about a clear separation between the Church and the State.

30. She felt that the Dominican Republic was not giving sufficient attention to working women. The Government needed to ensure better conditions for working women, stem emigration, and help women find work in their own country. There was an enormous gap between the private and public sectors, which needed to be addressed; and the relevant conventions of the International Labour Organization must be implemented. Although there was an elaborate health-care system, there seemed to be a lack of services for women.

31. Ms. KHAN said that there had been much legislative activity during the reporting period to protect the interests of women. She was disappointed, however, that the Constitution of the Dominican Republic did not explicitly enshrine the principle of the equality of men and women. She hoped that through the active involvement of the Department for the Advancement of Women, women would derive greater benefit from the new laws and measures and that changes would be made at the sociocultural level. The Department had the power and the rank to work for de facto equality.

32. It was mentioned in paragraph 146 of the fourth periodic report (CEDAW/C/DOM/4) that no special temporary measures had been taken to accelerate de facto equality between men and women. In view of the very high proportion of female-headed households, measures should be taken, especially in the areas of education and employment, to bring about sustainable changes in women's lives. She was impressed by the sensitization and training workshops for law enforcement authorities and other groups, and the public at large. Such activities were very important to combat traditional attitudes towards women. She urged the Government to take effective measures to guarantee girls and women greater access to education, especially in technology, so as to eradicate poverty.

33. Ms. HARTONO commended the very full answers and detailed information provided by the delegation from the Dominican Republic.

34. Ms. FERRER said that during the short period of its existence, the Department for the Advancement of Women had taken significant measures and undertaken important projects. Perhaps the main obstacles to the implementation of the Convention were the situation of extreme poverty in the Dominican Republic - 57.3 per cent of the population lived below the poverty line - and reduced spending on health and education as a result of structural adjustment. Women who were the most seriously affected in such situations must be accorded genuine priority in poverty eradication programmes. Like Ms. Corti and Ms. González, she was concerned that, with a budget of $4.5 million, the Department for the Advancement of Women had neither the resources, the authority or the personnel to make a tangible difference in the situation of women.

35. Further constitutional reforms and legislative amendments were also necessary. She stressed the importance of maintaining a separation between Church and State. The content of the concordat signed in 1954 was a major obstacle to the implementation of the Convention, particularly with regard to educating women on their sexual and reproductive rights. Non-governmental organizations could provide vital support to the Department for the Advancement of Women in addressing that situation. She called for greater protection of women workers in the export processing or free-trade zones and the maquila (assembly) enterprises. Lastly, the campaign launched in connection with the adoption of a law on violence against women was a significant step in the overall effort to eliminate stereotypes.

36. Ms. BUSTELO GARCIA DEL REAL also congratulated the delegation on its detailed report and its very complete answers to the Committee's questions. A greater female presence in political parties would help to mainstream activities for women in society. To that end, the Dominican women's movement should establish closer links with political structures. She noted the persistence of stereotypes, the need to reform the Civil Code, the disproportionately high unemployment figures for women, their lack of job opportunities and the related problems of prostitution and discrimination in the free trade zones and the social security system. It was grossly unfair that unemployed women could receive social security benefits only if they were married, particularly since many unmarried women in the Dominican Republic were heads of households.

37. Although the Dominican economy was based largely on tourism, including sexual tourism, and activities in the free-trade zone, the Government's policies to protect women working in those two areas were insufficient. Referring to article 6 of the Convention, she requested the delegation to provide data in its next report on legal reforms and the enforcement of penalties for procuring. She would appreciate statistics on the prosecution of persons engaged in the trafficking of women. Did their victims include Haitian migrant women? The Dominican Republic should conclude cooperation agreements with European countries with a view to combating prostitution, trafficking in women and the exploitation of female domestic workers.

38. She hoped that further constitutional reforms would result in the firm establishment of the principles of equality and non-discrimination and, in particular, the separation of Church and State, which would have a profound impact on maternal mortality, abortion, the prevention of HIV/AIDS and the elimination of stereotypes. Lastly, she welcomed the establishment of a female membership quota of 25 per cent in the political parties and hoped that it would have practical consequences in the next elections. She hoped that the fifth periodic report would contain more information on the implementation of the Convention in practice.

39. Ms. OUEDRAOGO also congratulated the delegation on its frank and objective report and responses to the Committee's questions. Referring to article 5 of the Convention, she urged the Dominican Government to make a greater effort to create equal opportunities for women and, with the help of the media, to intensify its campaign to eliminate stereotypes. To that end, it would be useful to incorporate courses on the Convention in school curricula and to prepare young women for marriage in order to reverse current negative trends.

40. Stressing the need to take additional measures to implement article 14, she inquired about the extent of women's involvement in programmes designed for them and the introduction of appropriate technology in the rural areas in order to enable women to devote more time to lucrative and leisure activities. She recommended the launching of a pilot project on the equitable sharing of household chores and also wondered whether the Dominican Republic planned to establish a special women's bank in order to increase women's access to credit and further promote income-generating activities for rural women. It would be useful if the fifth periodic report of the Dominican Republic contained gender-disaggregated statistics on productive employment, especially in the rural areas, in order to give the Committee some indication of the average income of rural women and men.

41. Ms. SATO thanked the delegation for its excellent and frank report and its responses to the Committee's questions. Measures for the advancement of women in the Dominican Republic remained weak. The insufficiency of gender-disaggregated statistics made it difficult to judge the real situation of Dominican women. She hoped that that would be remedied in the fifth periodic report.

42. Ms. JAVATE DE DIOS said that she had found the data contained in the report, particularly the studies cited, very helpful in elucidating certain developments. She welcomed the work of the national machinery in shaping

policy, advocating anti-discrimination legislation and monitoring compliance with international agreements on women. However, she, too, was concerned that the Department for the Advancement of Women might not have the necessary resources, authority and staff to carry out its work and looked forward to its being upgraded to a Ministry of Women in the future.

43. She welcomed the amendments to the Penal Code, the Code of Criminal Procedure and the Code for the Protection of Children and Adolescents as major achievements which strengthened the institutional and legal framework for dealing with violence against women. She commended, in particular, the motto of the national campaign: "There is no reason for abuse" (para. 154 (c) of the fourth report) and the Government's systematic and holistic approach to dealing with the problem and hoped that the fifth periodic report would contain more data on that subject. She expressed alarm at the high incidence of crimes of passion (para. 152 of the fourth report), which stemmed from the macho culture prevalent in many Latin American countries. The Government should investigate the phenomenon and launch awareness-building programmes to correct the notion that men were superior to women.

44. The information on female heads of household (paras. 157 to 166 of the fourth report) was ground-breaking in comparison to other reports of States parties; she would appreciate information on the extent to which those women were able to exercise their human rights.

45. Referring to paragraph 174 of the fourth periodic report and paragraph 88 of the second and third periodic reports, she inquired about the disturbing escalation of trafficking in Dominican women who migrated to European countries, mainly the Netherlands and Belgium, and to other Caribbean islands. In that connection, she wondered whether the Government had taken action to implement the recommendations contained in a study conducted by the International Organization on Migration (IOM) and welcomed Ms. Bustelo's proposals. Remedial action should include the enforcement of tight controls on forged passports and national identification cards, public information campaigns in heavy emigration areas, and the sustained monitoring of women from the Dominican Republic to their destinations, through bilateral cooperative efforts, if necessary.

46. The Agrarian Reform Act remained discriminatory in certain respects. For example, it prevented women, including female heads of households, from owning land in their own right, or even from inheriting property upon the death of their husbands (para. 117 of the fourth report). She would appreciate a clarification in the next periodic report. She expressed concern at the living conditions of female sugar-cane cutters, who, as immigrants without identification cards, were ineligible for Government assistance. Lastly, she urged the Government to address the problem of discrimination in the free-trade zones, where even women who were better educated than men received lower salaries and fewer benefits and had fewer opportunities to hold managerial or supervisory positions (paras. 260 to 264 of the fourth report).

47. Ms. ESTRADA CASTILLO observed that the two basic impediments to the advancement of women in the Dominican Republic, which the Government must confront, were the economic structural adjustment policies which had created the poverty that was at the root of all violations of women's rights, and the very

strong influence of the Roman Catholic Church in the political affairs of the country and the nefarious effects of some of its teachings on the development of adolescents, especially adolescent girls, and on their awareness of their rights. She asked whether the concordat between the Church and the Dominican Republic had been suspended. In view of the high maternal and infant mortality rates, it should be a Government priority to protect the right of women over their own bodies. With respect to the contradiction between the Civil Code and the Code for the Protection of Children and Adolescents (fourth report, para. 332), it was unclear whether the latter, a special law, took precedence over the more general law.

48. Ms. Yung Chung KIM, congratulating the Dominican Republic for the recent adoption of the General Education Act overhauling the curriculum, observed that illiteracy and poverty went hand in hand. Although apparently girls had a higher literacy rate and were more likely to complete primary education than boys, women found their employment opportunities limited and generally filled low-paying jobs or were paid less than men for equal work. She would like an explanation of why that was so; and suggested that more systematic vocational and career guidance services under the aegis of the Department for the Advancement of Women would help women advance to leadership positions.

49. Ms. SCHÖPP-SCHILLING said that the delegation had given a fascinating account of the radical economic, political and social changes being brought about in the country and the Government's determination to establish new policies systematically. A system-wide approach was the right one but in coming years, the Government must begin to prioritize, focusing on the eradication of poverty and illiteracy, on job creation and on enforcing existing labour legislation. The next report should indicate if the Government had established priorities and to what effect. She urged the Government, in establishing literacy programmes, to work with the two first-world countries which in Beijing had committed themselves to eradicating global illiteracy, namely, the United States of America and Germany.

50. She was very concerned about the free-trade zones, to which the West seemed to be exporting nineteenth-century capitalism and the exploitation of women. While granting tax incentives, the Dominican Republic must make it clear that such zones were not safe havens where labour laws did not apply, despite the welcome business they brought.

51. Ms. GUTIERREZ (Dominican Republic) said that her Government, ashamed at the situation prevailing under the previous Administration, had managed to make quite a few advances in the year and a half in which it had been in power, and would be spurred on by the comments and suggestions of the Committee. Even under the previous Government, the women in the technical departments had fought for women's rights, as did those now in the Government. All the women of the Dominican Republic were committed to that long-standing, ongoing battle - hence the sincerity of the fourth report. The next report would include many replies to the questions that the Committee had raised, and would give a picture of the further progress achieved.

52. The CHAIRPERSON, welcoming the clear information provided on the Dominican Republic's many achievements in such a short time, said that the report had been

very frank about the obstacles that persisted, but that the general commitment to overcome them was obvious. The fourth periodic report had been well organized and had given statistics permitting an objective assessment. Especially commendable were the machinery set up to implement the Beijing Platform for Action, the amendment to the agrarian reform legislation that had given women access to the land, and the attempt to alleviate poverty by making micro-business credit available to women.

53. The Committee remained concerned, however, by the high maternal mortality rate. Speaking as a doctor, she suggested that the incidence of toxaemia and anaemia were very likely connected with induced abortions and inadequate care during pregnancy and could be diminished by better protection of women's reproductive rights. Women need not die because they bore children. Furthermore, affirmative action would be needed to counter the negative impact of privatization and structural adjustment programmes on the health sector generally and especially on women's health. Another result of structural adjustment was to force women into the informal sector, where they usually received no social benefits, and the Government must take action to remedy that situation as well.

54. Regarding the free-trade zones, many Governments, in their quest for investment, tended to compromise the rights of their workers there, who often were not allowed to organize and negotiate for better wages. When, as in the Dominican Republic, the majority of such workers were women, the problem was compounded by sexual harassment in the workplace. Their well-being must be defended. The nationality law should be amended so that all born in the Dominican Republic had the same right to nationality; and the earlier law deporting Haitians should be repealed by the new Government, if it had not already done so.

55. Speaking in her personal capacity, and in no way implying the existence of racial discrimination, she would be interested in receiving gender-disaggregated data on blacks in the Dominican Republic in fields such as health, employment and the prison system.

56. Regarding the relations between the Government and the Roman Catholic Church, the Dominican Republic was a secular State and it would be contrary to the Constitution if the Church had undue influence on the policies of the Government.

The meeting rose at 5.50 p.m.

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Eighteenth session

SUMMARY RECORD OF THE 381st MEETING

Held at Headquarters, New York,
on Wednesday, 4 February 1998, at 10 a.m.

Chairperson: Ms. KHAN

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The meeting was called to order at 10.10 a.m.

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION (continued)

1. Ms. HEYZER (Director, United Nations Development Fund for Women) said that in the context of United Nations reform and the emphasis on greater collaboration between the various components of the United Nations system, it was important to place women's rights at the forefront of the development agenda. The ratification and implementation of the Convention on the Elimination of All Forms of Discrimination against Women was at the centre of the strategy for ensuring women's rights on the threshold of the new millennium. Norms and standards had been set at the international level; the present challenge was to ensure implementation at the national level.

2. Owing to the tireless advocacy efforts of women's human rights groups, the international community had recognized that women's rights were an integral part of human rights. Accountability was now required to ensure that rhetoric was transformed into action.

3. For the United Nations Development Fund for Women (UNIFEM), the Convention on the Elimination of All Forms of Discrimination against Women was a critical tool. UNIFEM was uniquely positioned in the United Nations system to promote its ratification and implementation. As an innovative and catalytic operational entity, the Fund had regional programme advisers who were frequently called upon to act as brokers and facilitators between women's organizations, national governments and agencies and funds of the United Nations system. UNIFEM had pledged to promote the Convention at every opportunity. Ten further gender advisers were being added with the goal of establishing a field presence in over 100 countries.

4. UNIFEM recognized that the task of transforming social values and creating a culture of respect for women's rights was a lengthy process. The Fund's strategies and activities had been carefully developed on the basis of 20 years' experience with a view to promoting the realization of women's civil, cultural, economic, political and social rights, and to supporting and encouraging efforts to promote the elimination of all forms of violence against women.

5. The Fund would continue to provide technical assistance, strengthen the capacity of women's groups and facilitate the exchange of information between the Committee and non-governmental organizations. It would also act as a bridge to Governments. At the national level, UNIFEM was working closely with other funds and agencies in the United Nations system. It had developed an Arabic-language advocacy kit on the Convention and integrated a substantial component on the Convention into a project involving the curriculum in selected Caribbean schools and the media. In South America, UNIFEM had integrated the Convention into training programmes for human rights advocates and members of the judiciary. In India, through the efforts of the Fund, the Convention had been used as a framework for a landmark legal judgement. In the Asia-Pacific region, the Fund intended to support a major effort by non-governmental organizations to launch a subregional project designed to track activities leading to the successful implementation of the Convention and the Beijing Platform for Action.

In West Africa, the Fund had launched a wide-ranging programme on women's rights which would utilize the Convention in awareness-raising activities.

6. Following a successful pilot project in 1997, UNIFEM had continued its partnership with International Women's Rights Action Watch Asia-Pacific by holding a training workshop that had brought together 25 women from 13 countries. The workshop had involved an intensive three-day orientation on the Convention followed by a mentoring component, which had included a week of observing the Committee in session. The purpose had been to strengthen understanding of the Convention by women's rights advocates and to illustrate how the Committee's working methods applied to their advocacy work at the national level. Another goal had been to raise awareness among women's non-governmental organizations of the importance of the Committee's work and their participation in the monitoring and implementation of the Convention.

7. The results of the workshop were plain to see. Participants had increased their knowledge of the potential uses of the Convention. More information had been submitted to the Committee at the current session by non-governmental organizations. All the participants had developed plans for integrating the Convention into their ongoing advocacy initiatives on women's rights. Committee members and participants had benefited greatly from the opportunity for interaction. Government representatives from reporting States had forged new relationships with some of the workshop participants and arranged for follow-up national dialogue. For its part, UNIFEM was determined to continue the annual training workshop, and its support for the Committee in the task of advancing women's enjoyment of all human rights.

8. Ms. SCHÖPP-SCHILLING said that the countries in transition in Central and Eastern Europe were in a special category which offered a particularly difficult challenge to all actors involved in the sphere of women's rights. Some of the issues raised by reporting States at the current session would have to be addressed in special seminars. The former communist regimes had abused many of the measures and programmes advocated by the Committee to promote women's rights. For example, quotas for female participation in legislative bodies had been instituted, but since those bodies had been virtually powerless the whole system of quotas had been discredited. Likewise, women were increasingly turning inwards to their role as wives and mothers in response to attempts by the former regimes to meddle in family life and ideologize children. All non-governmental organizations in communist regimes had in fact been run by the Government; consequently such organizations in the post-communist era had a severe credibility problem. There was an urgent need to promote deeper understanding of the Convention among women in those countries, and specifically what the Convention could do for their rights as individuals.

9. Ms. CORTI said that, with reference to the countries in transition in Central and Eastern Europe, women seemed unable to organize themselves. The number of women's associations had declined drastically since the fall of communism. Instead women were concentrating on motherhood and family life. UNIFEM should avail itself of the advice and suggestions of the experts on the Committee.

10. Ms. ABAKA said that it was crucially important to involve members of the Committee in the Fund's work. The experts were even prepared to participate voluntarily in UNIFEM programmes. It was unfortunate that UNIFEM's presence in West Africa seemed to have diminished in recent years. The first reference she had heard to the UNIFEM programme in West Africa had been during the statement just delivered by the Fund's Director. It was also regrettable that she had not met the Fund's Director during the latter's recent visit to the region. Finally, given the expertise and commitment of African women's rights advocates, UNIFEM should organize a training workshop specifically for the African region.

11. Ms. OUEDRAOGO said that she had been unaware of the Fund's programme in West Africa and of the Director's visit to the region. As Ms. Abaka had said, the Committee members were prepared to share their knowledge of their own regions, particularly in the case of Africa, where the enormous economic and legal obstacles to the advancement of women made cooperation particularly important. Despite its limited budget, the Fund served as an important catalyst for change by adapting its strategies to the characteristics of specific regions.

12. For example, in her own country, Burkina Faso, the Fund could help by encouraging the Government to increase the woefully inadequate budgets of national agencies for the advancement of women, particularly with regard to the dissemination of the Convention, which was costly because of the country's numerous languages. She also noted that while European countries were able to provide women with a minimum package of services, that was not the case in Africa.

13. Ms. JAVATE DE DIOS said that, by making it possible for women activists to bring their knowledge of local situations to the Committee's work and to take the Committee's recommendations back to their own organizations, the Fund had made a fundamental contribution to the Committee's work. International law must be translated into practical action on behalf of women so that they could claim the Convention for their own as part of a culture of human rights.

14. While States parties were increasingly willing to discuss the sensitive and often hidden issue of violence against women, statistical information was often unsatisfactory. Furthermore, in many countries the provisions of the Convention were not invoked in the courts as a result of ignorance or discrimination on the part of judges and lawyers, for whom training programmes should be organized. Another problem was the frequent use of cultural and religious beliefs to justify violence against women. The Committee also needed to prepare general recommendations on affirmative action, refugee women and women migrant workers. She hoped that the Fund would be able to help the Committee to address some of those problems.

15. Ms. ACAR said that Ms. Schöpp-Schilling's remarks concerning the status of women in Eastern Europe were even more applicable to central Asia and the Caucasus. The periodic reports of countries such as Azerbaijan and Armenia had shown that women there were highly educated but had little contact with the outside world. There was a need for regional campaigns and workshops to familiarize those women with the concepts embodied in the Convention, thereby legitimating the idea of women's human rights.

16. Ms. AOUIJ expressed the hope that the Committee's partnership with NGOs would continue.

17. Noting that the Fund had been increasingly involved in addressing the economic consequences for women of structural adjustment, particularly in Africa, she asked what it was doing to give them greater access to technology so that they could start their own businesses, and how it was using international cooperation to promote the incorporation of a gender perspective into government policies. She also pointed out that there was a general tendency towards insufficient involvement of local experts in the visits of heads of United Nations agencies.

18. Ms. KING (Special Adviser to the Secretary-General on Gender Issues and Advancement of Women) said that the Fund's cooperation with other United Nations agencies was bearing fruit. As part of the Secretary-General's reform package, the new Department of Economic and Social Affairs would focus increasingly on technical cooperation in support of normative and analytical projects in the areas of economics, social issues, gender equality, human rights, ageing and disabilities. The Division for the Advancement of Women had a new Gender Advisory Services Unit composed of three Professionals with technical cooperation experience. However, the Division's primary partner would remain UNIFEM, whose work to empower women at the national level was a direct response to the Committee's wishes and the Beijing Platform for Action.

19. Among the Fund's achievements were its voluntary trust fund on violence against women, its support for studies and workshops for the promotion of women's human rights and its participation in the work of the Administrative Committee on Coordination, the Inter-Agency Committee on Women and Gender Equality and the High-level Committee on the Review of Technical Cooperation among Developing Countries which was one of the five executive committees that advised the Secretary-General on gender mainstreaming.

20. In future, both the Fund and the Division would endeavour to improve coordination with the Committee and to ensure that, when travelling on mission, their representatives were fully briefed on local situations and national experts.

21. The CHAIRPERSON said that UNIFEM was in a unique position to promote the universal ratification of the Convention, as had been achieved in the case of the Convention on the Rights of the Child. The Fund's incorporation of the Convention into its work had given the Committee visibility within the human rights system. She agreed that the Fund should avail itself of local experts, including Committee members, in its country initiatives.

22. She hoped that UNIFEM would be able to address the issues of increased violence against women, poverty, overemphasis on women's role as mothers, and promotion of traditional values as obstacles to their enjoyment of their rights. Since many States parties failed to implement the Committee's recommendations, she wondered whether the Fund could help to disseminate them to NGOs and policy makers in an effort to ensure that they were taken more seriously.

23. Ms. HEYZER (Director, United Nations Development Fund for Women) said that the Fund would act on the suggestions for the use of Committee members as resources at the regional level and the development of training programmes for judges and lawyers. Substantial financial and human resources had been the key to universal ratification of the Convention on the Rights of the Child, and she hoped that the Fund's resources could be used to promote implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

24. With regard to dissemination of the Committee's recommendations, the Division, which served as adviser to the resident coordinator system, would use that channel to promote better implementation of recommendations.

25. She apologized for not having met with Ms. Abaka during her recent visit to Ghana but explained that she had had only one day in which to resolve a number of logistical problems. The reduced visibility of UNIFEM was due to the fact that there had been no gender coordinator for the region over the past year; in addition, the Fund's adviser in Senegal was responsible for 23 countries. The forthcoming appointment of a gender coordinator for Ghana and Nigeria should ensure a stronger Fund presence in the region.

26. One example of the Fund's economic empowerment of women was its shea butter project in West Africa, which had helped women to become key economic players in a new global market through organization and training in business skills which had allowed them to eliminate the middleman and market their crop directly. As a result of that programme, the women's profit from shea butter nuts had risen from a few pennies to US$ 18 per kilo.

27. In closing, she thanked the Division for the Advancement of Women for working to improve cooperation between UNIFEM and all agencies of the United Nations system.

The meeting rose at 11.20 a.m.